

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
P.C. 10/27/04 Item No.: 3.i.
C.C. 11/9/04 Item

File Number
PDC 04-026

Application Type
Planned Development Rezoning

Council District
5

Planning Area
Evergreen

Assessor's Parcel Number(s)
647-07-061, -062, -063

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Richard Buikema

Location: Southwest corner of Story Road and Clayton Road

Gross Acreage: 2.18

Net Acreage: 1.83

Net Density: 9.74 DU/AC

Existing Zoning: A- Agriculture,
R-1-5 Single Family Residential

Existing Use: Single Family Residential

Proposed Zoning: A(PD) Planned Development

Proposed Use: Up to 15 Single Family Detached Residences

GENERAL PLAN

Completed by: RB

Land Use/Transportation Diagram Designation
Medium Low Density Residential (8 DU/AC)

Project Conformance:
☒ Yes ☐ No
☐ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: RB

North: Single-family detached residential

Unincorporated

East: Single-family detached residential

R-1-5 Residence

South: Single-family detached residential

A(PD) Planned Development

West: Single-family detached residential

R-1-8 Residence

ENVIRONMENTAL STATUS

Completed by: RB

☐ Environmental Impact Report

☐ Exempt

☒ Mitigated Negative Declaration pending adoption on 10/27/04

☐ Environmental Review Incomplete

FILE HISTORY

Completed by: RB

Annexation Title: Story No 36. (647-07-061)

Date: 3/1/1985

Hillview No. 51 (647-07-062, -063)

5/17/1966

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☒ Approval

Date: 10-21-04

☐ Approval with Conditions

Approved by: *Susan Walton*

☐ Denial

☐ Action

☒ Recommendation

OWNER

APPLICANT

Ernest J. Echavarria
14550 Story Road
San Jose, CA 95127

Jim Davis
3009 Duchess Crt.
Rocklin, CA 95765

Charles W. Davidson Co.
255 W. Julian St. Ste 502
San Jose, CA 95110

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: RB

Department of Public Works

See attached memorandum.

Other Departments and Agencies

Environmental Services Department, San Jose Fire Department

GENERAL CORRESPONDENCE

None.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The applicant, Charles W. Davidson Co, is requesting a Planned Development Rezoning from the A- Agriculture and R-1-5 Single Family Residential to the A(PD) Planned Development Zoning District to allow up to 15 single-family detached residences on a 2.18 gross acre site.

The site is located in the Evergreen Development Policy area. The Evergreen Development Policy (EDP) Benefit Assessment District Map indicates that this site has allocation for 10 units in addition to the credit for the five residences currently on the site. The City Council adopted the EDP to set limits on growth (total number of dwelling units) within this specific area so that the transportation level of service in the area remains at an acceptable level. The Evergreen Development Policy together with the Evergreen Specific Plan identified the means to create sufficient traffic capacity and guide the build out of vacant parcels within the Policy area. The needed infrastructure, which supports the established set number of dwelling units within the Policy area, was paid for by existing landowners/developers through the Evergreen Development Policy Benefit Assessment District.

Single-family detached residences surround all sides of the subject site.

Project Description

The proposed project consists of a total of 15 single-family detached units on individual lots. The sizes of the lots range from 2,878 square feet to approximately 6,900 square feet. Five of these units will take access from Clayton Road, two will take access from Arthur Avenue, and eight units will take access from a limited access private road to be developed as part of the project. The proposed project will include a 30-foot wide limited access private drive off Arthur Avenue. This drive will provide space for fire truck turn around at its northwest end. The project also dedicates land towards constructing parts of Arthur Avenue, so that Arthur Avenue will become a continuous street.

The existing five residences on the site will be demolished. Review of these existing structures identified no historical significance, especially given their dilapidated condition.

ENVIRONMENTAL REVIEW

The environmental impacts of this project were addressed in an Initial Study and a Mitigated Negative Declaration that is pending adoption on 10-26-04. The Mitigated Negative Declaration addressed issues such as Noise, Traffic, Water Quality, Air Quality and Construction related impacts. With the implementation of the proposed mitigation measures, the project will not have a significant impact on the environment.

Traffic

The site has traffic allocation for 10 new residential units in addition to allocation credit for five existing single-family house pursuant to the Evergreen Development Policy. Under this policy a benefit assessment district was established to fund and construct the necessary transportation improvements associated with existing development plus approved allocation. Therefore no traffic mitigation is required for the 15 proposed new units which have previously been accounted for.

GENERAL PLAN CONFORMANCE

The proposed 15-unit project has a net density of 9.74 DU/AC. Although the site's General Plan Land Use/Transportation Diagram designation is Medium Low Density Residential (8 DU/AC), the "Two Acre" rule allows for a higher density project to be found to be consistent with the General Plan if a project is determined to meet or exceed the standards of the Residential Design Guidelines, and is compatible with the surrounding neighborhood. The applicant entered into an irrevocable offer of dedication for the Story and Clayton Road frontages, prior to zoning approval, resulting in a net acreage of the site of less than two acres (1.83 acres).

The proposed project also furthers the Housing Major Strategies of the General Plan by maximizing housing opportunities on an infill property that is easily served by existing City services.

ANALYSIS

The primary issues with this project are the 1) compatibility with surrounding uses, and 2) consistency with the *Residential Design Guidelines*.

Compatibility with Surrounding Uses

The existing neighborhood consists of one and two-story single-family detached residences built in the mid-1980s and early 1990s. The neighboring lots range in size from approximately 6000 square feet to 11,000 square feet.

While the proposed new single-family lots are smaller than those existing in the neighborhood, the proposed residential development will continue the existing development pattern of single-family detached residences on individual lots facing traditional public streets. This development will have two-story units with adequate setbacks from existing adjacent properties on all sides, which meet or exceed the development requirements applicable to the adjacent properties. These measures help ensure the compatibility of the new development with the existing neighborhood.

Consistency with *Residential Design Guidelines*

The proposed project is in conformance with the development standards recommended in the *Residential Design Guidelines* for single-family detached houses with respect to site design, setbacks, height/stories, parking, private open space, and architecture.

Site Design

The project is consistent with the lotting pattern already established in the surrounding area with single-family detached units fronting onto new public streets.

Setbacks and Height/Stories

The proposed setbacks and height/stories are consistent with the *Residential Design Guidelines* for 3,000 to 4,000 square foot lot single-family detached houses. Minimum 20-foot rear setbacks will be provided around the perimeter of the site adjacent to existing houses. The units will be 2-story homes of approximately 26 feet in height.

Parking

The *Residential Design Guidelines* recommend that two covered spaces and one additional off-lot parking space within 150 feet of each unit be provided. This project will provide the recommended two covered spaces in garages with ample off-lot street parking spaces. Each unit will also have two parking spaces on the driveway apron. Additionally, six parking spaces will be provided along the proposed private drive.

Private Open Space

The *Residential Design Guidelines* recommend that each unit be provided with a minimum of 500 square feet of private open space. This project provides a minimum of approximately 675 square feet of private open space per unit thus avoiding the requirement to provide common open space on the project site. Units fronting on Arthur Avenue and siding onto Story Road have private open space areas well in excess of the minimum specified by the *Residential Design Guidelines*.

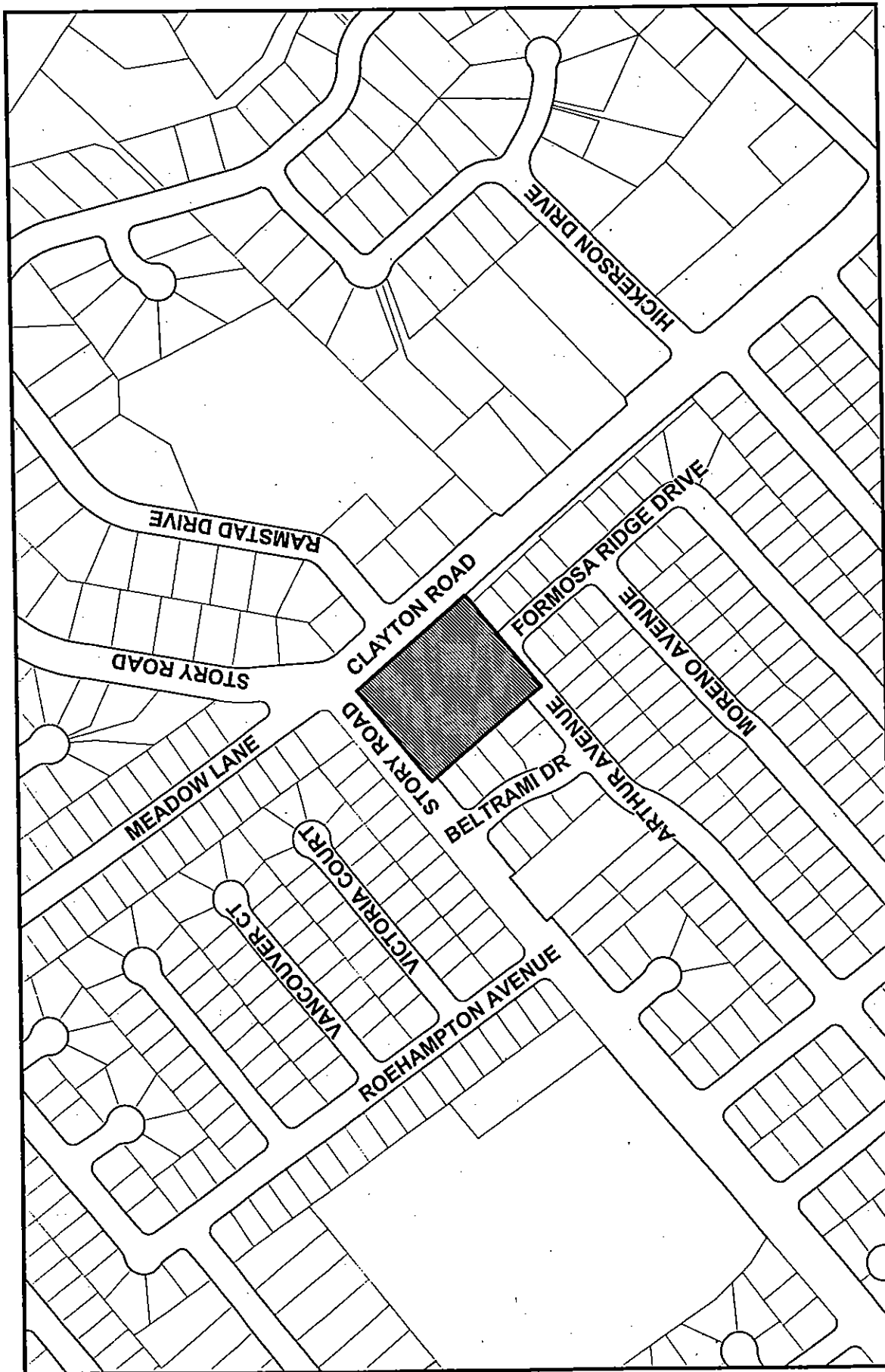
PUBLIC OUTREACH

Notices of the public hearing were distributed to the owners and tenants of all properties located within 500 feet of the subject site as well as published in the San José Post Record. The Planning Commission agenda and City Council agenda are posted on the City of San José website with copies of the staff report and City Council memo. Staff has been available to discuss the project with interested members of the public.

RECOMMENDATION

Planning staff recommends that the Planning Commission forward a recommendation to the City Council to approve the subject rezoning for the following reasons:

1. The project conforms to the San Jose 2020 General Plan through the use of the Discretionary Alternate Use policy ("Two Acre Rule") that allow for parcels of 2-acres in size or less to be developed at a higher or lower density range than is designated on the Land Use/Transportation Diagram if the project design exceeds the Residential Design Guidelines standards and is compatible with the existing neighborhood.
2. The project furthers the General Plan Housing Major Strategy.
3. The project meets or exceeds the *Residential Design Guidelines*.
4. The project is compatible with existing uses on adjacent sites.
5. The project is consistent with the Evergreen Development Policy.



File No: PDC04-026

District: 05

Quad No.: 68



Scale: 1"=300'

Created on 03/23/04

DEVELOPMENT STANDARDS

LOT SIZE: 2,800 TO 7800 SQ-FT

PROPOSED NO. OF UNITS: UP TO 15 DU'S

- **MINIMUM SETBACKS**
 - **LOT 1**
 - **FRONT**
 - LIVING AREA 20
 - ATTACHED GARAGE 20
 - PORCH 10
 - **SIDE PRIVATE STREET 8**
 - **SIDE EXISTING RESIDENTIAL 5**
 - **REAR 15**
 - **LOTS 2-3**
 - **FRONT**
 - LIVING AREA 15
 - PORCH 10
 - ATTACHED GARAGE 18
 - **SIDE 4**
 - **REAR**
 - LIVING AREA 20
 - PATIO COVER OR TRELLIS 13
 - **LOT 4**
 - **FRONT**
 - LIVING AREA 15*
 - PORCH 10*
 - ATTACHED GARAGE 18*
 - **SIDE INTERIOR 4**
 - **SIDE STORY ROAD 15**
 - **REAR**
 - LIVING AREA 20
 - PATIO COVER OR TRELLIS 13
 - **LOT 5**
 - **FRONT**
 - LIVING AREA 15*
 - PORCH 10*
 - ATTACHED GARAGE 18*
 - **SIDE INTERIOR 4**
 - **SIDE STORY ROAD 15**
 - **REAR**
 - LIVING AREA 15
 - PATIO COVER OR TRELLIS 7
 - **LOTS 6-9**

- FRONT
 - LIVING AREA 15
 - PORCH 10
 - ATTACHED GARAGE 18
- SIDE 4
- REAR
 - LIVING AREA 15
 - PATIO COVER OR TRELLIS 7
- LOT 10
 - FRONT
 - LIVING AREA 20
 - PORCH 15
 - ATTACHED GARAGE 20
 - SIDE INTERIOR 4
 - SIDE EXISTING RESIDENTIAL 5
 - REAR
 - LIVING AREA 20
 - PATIO COVER OR TRELLIS 13
- LOTS 11-14
 - FRONT
 - LIVING AREA 20
 - PORCH 15
 - ATTACHED GARAGE 20
 - SIDE 4
 - REAR
 - LIVING AREA 15
 - PATIO COVER OR TRELLIS 7
- LOT 15
 - FRONT
 - LIVING AREA 20*
 - PORCH 15*
 - ATTACHED GARAGE 20*
 - SIDE INTERIOR 4
 - SIDE STORY ROAD 15
 - REAR
 - LIVING AREA 15
 - PATIO COVER OR TRELLIS 7

* EXCEPT AT CURB RETURNS

PRIVATE OPEN SPACE (SQUARE FEET): 550

BUILDING HEIGHT (FEET/NO. OF STORIES): 30/2

PARKING REQUIREMENTS:

PARKING REQUIRED IS TWO SPACES PER UNIT.
PLUS ONE ADDITIONAL OFF-LOT PARKING SPACE WITHIN 150 FEET OF EACH UNIT.

MINOR ARCHITECTURAL PROJECTIONS:

MINOR ARCHITECTURAL PROJECTIONS SUCH AS FIREPLACES AND BAY WINDOWS, MAY PROJECT INTO ANY SETBACK OR BUILDING SEPARATION BY UP TO 2 FEET FOR A LENGTH NOT TO EXCEED 10 FEET OR 20 PERCENT OF THE BUILDING ELEVATION LENGTH.

PRIVATE STREET MAINTENANCE:

THE PRIVATE STREET WILL BE MAINTAINED BY THE OWNERS OF LOTS 2 THROUGH 9 BY WAY OF A JOINT USE AND MAINTENANCE AGREEMENT.

FRONT YARD MAINTENANCE:

DEVELOPER SHALL INSTALL FRONT YARD LANDSCAPING AND IRRIGATION AND MAINTAIN IT FOR TWO YEARS.

NOTE:

ALL DEVELOPMENT STANDARDS ARE SUBJECT TO
MODIFICATION PENDING APPROVAL OF DIRECTOR OF PLANNING.

MINOR ADDITIONS WHICH CONFORM TO THESE SETBACKS WILL NOT
REQUIRE APPROVAL OF THE DIRECTOR OF PLANNING.

THE ARCHITECTURAL DESIGN OF THE HOUSES SHALL CONFORM TO
THE STANDARDS OF THE RESIDENTIAL DESIGN GUIDELINES.

MITIGATION MEASURES

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

AESTHETICS

- Trees and landscaping shall be provided.
- Downward-directed low-pressure sodium vapor street lights along the public streets shall be provided in order to prevent offsite light and glare.
- Public streets that are impacted by project construction activities shall be swept and washed down daily.
- Debris, rubbish and trash shall be cleared from any areas onsite that are visible from a public street.

AIR QUALITY

- The following construction practices shall be implemented during all phases of construction for the proposed project: 1) water all active construction areas at least twice daily or as often as needed to control dust emissions; 2) cover all trucks hauling

soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard; 3) pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; 4) sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust; 5) sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material; 6) hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); 7) enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust; 8) limit traffic speeds on unpaved roads to 15 mph; 9) install sandbags or other erosion control measures to prevent silt runoff to public roadways; and 10) replant vegetation in disturbed areas as quickly as possible.

BIOLOGICAL RESOURCES

All non-orchard trees that are to be removed shall be replaced at the following ratios:

- Each tree less than 12" in diameter to be removed = one 15 gallon tree
- Each tree 12" to 18" diameter to be removed = two 24" box trees
- Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit has been approved for the removal of such trees. Each tree greater than 18" diameter to be removed = four 24" box trees

The species and exact number of trees to be planted on the site will be determined in consultation with the City Arborist and the Department of Planning, Building, and Code Enforcement. In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented at the permit stage:

- An alternative site(s) will be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the City's Environmental Principal Planner.
- A donation of \$300 per mitigation tree to San Jose Beautiful or Our City Forest for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting will be provided to the Planning Project Manager prior to issuance of a development permit.

CULTURAL RESOURCES

- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory

agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

- Should evidence of prehistoric cultural resources be discovered during construction, work in the immediate area of the find shall be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material shall be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Environmental Principal Planner.

GEOLOGY AND SOILS

- A Certificate of Geologic Hazard Clearance shall be obtained from the Director of Public Works prior to any discretionary approval for all development in areas shown on the Geologic Hazards Ordinance map; and any Conditions of Clearance including, but not limited to, measures identified in the geologic evaluation, slope stabilization, surface and subsurface drainage control, offsite improvements, use restrictions, erosion control and/or maintenance guarantees for private improvements contained therein shall be implemented as specified.
- All earthwork and foundation plans and specifications shall comply with the recommendations of the geotechnical investigation by ENGEO Incorporated. The geotechnical report lists approximately 20 recommendations that are included in the project for site grading, foundations, slabs-on-grade, retaining walls, pavement design, drainage, and utility trenches, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below that specifically address potential geotechnical hazards found on the site are included below.
- Post-tensioned or conventionally-reinforced floating mat foundation systems shall be utilized in any residences subjected to expansive soils movement.
- Drainage shall be controlled and directed away from all structures and pavements.
- A City approved erosion control plan shall be developed and implemented with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

HAZARDS AND HAZARDOUS MATERIALS

- The project site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils,

septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

- The structures to be removed shall be surveyed for the presence of asbestos-containing materials at the demolition permit stage; and if any suspect ACM are present, they shall be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with NESHAP and Cal-OSHA requirements.
- The structures to be removed shall be surveyed for the presence of lead based paint at the demolition permit stage; and if any suspect LBP is present, it shall be sampled prior to demolition, and all potential LBP shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with EPA and OSHA requirements.

HYDROLOGY AND WATER QUALITY

- A Notice of Intent and a Storm Water Pollution Prevention Plan that addresses both construction and post-construction periods and specifies erosion and sediment control measures, waste disposal controls, maintenance responsibilities, and non-stormwater management controls, shall be submitted to the RWQCB and maintained onsite, respectively, to comply with the stormwater discharge requirements of the NPDES General Permit.
- A Storm Water Pollution Prevention Plan (SWPPP) in compliance with the local NPDES permit shall be developed and implemented including: 1) site description; 2) erosion and sediment controls; 3) waste disposal; 4) implementation of approved local plans; 5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements; 6) Best Management Practices (BMP) such as the use of infiltration of runoff onsite, first flush diversion, flow attenuation by use of open vegetated swales and natural depressions, stormwater retention or detention structures, oil/water separators, porous pavement, fossil filters, or a combination of these practices for both construction and post-construction period water quality impacts; and 7) non-stormwater management.
- All roof drains shall drain away from the building foundation and discharge into a landscaped area.

NOISE

- Construction operations shall be limited to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit so as to avoid the more sensitive evening, nighttime and weekend hours.
- All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with standard factory silencing features; mufflers shall be used on all heavy construction equipment.

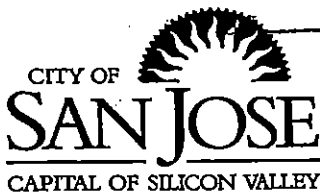
TRANSPORTATION/TRAFFIC

- Fees established by the Benefit Assessment District shall be paid to fund and construct the transportation improvements necessary for the development of the Evergreen Development Policy Area.

POSTED ON 10/17/04 THROUGH 10/27/04
IN THE OFFICE OF THE COUNTY CLERK-RECORDER
BRENDA DAVIS, COUNTY CLERK

ENDORSED

OCT 07 2004



DEPUTY

LAURA RIVAS

BRENDA DAVIS, County Clerk-Recorder
Santa Clara County
By LAURA RIVAS Deputy

Department of Planning, Building and Code Enforcement
STEPHEN M. HAASE, AICP, DIRECTOR

PUBLIC NOTICE
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSE, CALIFORNIA

Project File Number, Description, and Location

PDC04-026, Planned Development Rezoning from R-1-5 Residence District and "A" Agriculture District to A(PD) Planned Development Zoning District to allow up to 15 single family detached residences on an approximately 2.25-acre site. Subsequent permits include a Planned Development permit and Tentative Map. (C. & E. Echavarria and J. & J. Davis Trustee, Owners; Braddock and Logan, Developer). Council District: 5

California State Law requires the City of San José to conduct environmental review for all pending projects that require a public hearing. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. The Director of Planning, Building & Code Enforcement would require the preparation of an Environmental Impact Report if the review concluded that the proposed project could have a significant unavoidable effect on the environment. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present. The project location **does not** contain a listed toxic site.

Based on an initial study, the Director has concluded that the project described above will not have a significant effect on the environment. We have sent this notice to all owners and occupants of property within 500 feet of the proposed project to inform them of the Director's intent to adopt a Mitigated Negative Declaration for the proposed project on **October 27, 2004**, and to provide an opportunity for public comments on the draft Mitigated Negative Declaration. The public review period for this draft Mitigated Negative Declaration begins on **October 8, 2004** and ends on **October 27, 2004**.

A public hearing on the project described above is tentatively scheduled for October 27, 2004 at 6:00 p.m. in the City of San Jose Council Chambers, 801 N. First Street, San Jose, CA 95110. The draft Mitigated Negative Declaration, initial study, and reference documents are available for review under the above file number from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, City Hall, 801 N. First Street, Room 400, San Jose, CA 95110. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, and the East San Jose Carnegie Branch Library 1102 E. Santa Clara Street, San José, CA 95116 San Jose, and online at <http://www.ci.san-jose.ca.us/planning/sjplan/eir/mnd2004.htm> Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance. For additional information, please call **Deanna Chow** at (408) 277-4576.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Circulated on: Oct 8, 2004

Joelle Chalk
Deputy

**DRAFT
MITIGATED NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Story & Clayton Property

PROJECT FILE NUMBER: PDC04-026

PROJECT DESCRIPTION: Planned Development Rezoning from R-1-5 Residence District and "A" Agriculture District to A(PD) Planned Development Zoning District to allow up to 15 single family detached residences on an approximately 2.25-acre site. Subsequent permits include a Planned Development permit and Tentative Map.

PROJECT LOCATION & ASSESSORS PARCEL NO.: Southwest corner of Story Road and Clayton Road; (647-07-061 through -063)

COUNCIL DISTRICT: 5

NAME OF APPLICANT: Braddock & Logan Group

MAILING ADDRESS AND PHONE NO. OF APPLICANT CONTACT PERSON:

4155 Blackhawk Plaza Circle, Suite 201, Danville, CA 94506
925-736-4000

Attn: Jim Sullivan

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

AESTHETICS

- Trees and landscaping shall be provided.
- Downward-directed low-pressure sodium vapor street lights along the public streets shall be provided in order to prevent offsite light and glare.
- Public streets that are impacted by project construction activities shall be swept and washed down daily.
- Debris, rubbish and trash shall be cleared from any areas onsite that are visible from a public street.

AIR QUALITY

- The following construction practices shall be implemented during all phases of construction for the proposed project: 1) water all active construction areas at least twice daily or as often as needed to control dust emissions; 2) cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard; 3) pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; 4) sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust; 5) sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material; 6) hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); 7) enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust; 8) limit traffic speeds on unpaved roads to 15 mph; 9) install sandbags or other erosion control measures to prevent silt runoff to public roadways; and 10) replant vegetation in disturbed areas as quickly as possible.

BIOLOGICAL RESOURCES

All non-orchard trees that are to be removed shall be replaced at the following ratios:

- Each tree less than 12" in diameter to be removed = one 15 gallon tree
- Each tree 12" to 18" diameter to be removed = two 24" box trees
- Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit has been approved for the removal of such trees. Each tree greater than 18" diameter to be removed = four 24" box trees

The species and exact number of trees to be planted on the site will be determined in consultation with the City Arborist and the Department of Planning, Building, and Code Enforcement. In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented at the permit stage:

- An alternative site(s) will be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the City's Environmental Principal Planner.

- A donation of \$300 per mitigation tree to San Jose Beautiful or Our City Forest for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting will be provided to the Planning Project Manager prior to issuance of a development permit.

CULTURAL RESOURCES

- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.
- Should evidence of prehistoric cultural resources be discovered during construction, work in the immediate area of the find shall be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material shall be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Environmental Principal Planner.

GEOLOGY AND SOILS

- A Certificate of Geologic Hazard Clearance shall be obtained from the Director of Public Works prior to any discretionary approval for all development in areas shown on the Geologic Hazards Ordinance map; and any Conditions of Clearance including, but not limited to, measures identified in the geologic evaluation, slope stabilization, surface and subsurface drainage control, offsite improvements, use restrictions, erosion control and/or maintenance guarantees for private improvements contained therein shall be implemented as specified.
- All earthwork and foundation plans and specifications shall comply with the recommendations of the geotechnical investigation by ENGEO Incorporated. The geotechnical report lists approximately 20 recommendations that are included in the project for site grading, foundations, slabs-on-grade, retaining walls, pavement design, drainage, and utility trenches, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below that specifically address potential geotechnical hazards found on the site are included below.
- Post-tensioned or conventionally-reinforced floating mat foundation systems shall be utilized in any residences subjected to expansive soils movement.
- Drainage shall be controlled and directed away from all structures and pavements.
- A City approved erosion control plan shall be developed and implemented with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and

permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

HAZARDS AND HAZARDOUS MATERIALS

- The project site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.
- The structures to be removed shall be surveyed for the presence of asbestos-containing materials at the demolition permit stage; and if any suspect ACM are present, they shall be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with NESHAP and Cal-OSHA requirements.
- The structures to be removed shall be surveyed for the presence of lead based paint at the demolition permit stage; and if any suspect LBP is present, it shall be sampled prior to demolition, and all potential LBP shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with EPA and OSHA requirements.

HYDROLOGY AND WATER QUALITY

- A Notice of Intent and a Storm Water Pollution Prevention Plan that addresses both construction and post-construction periods and specifies erosion and sediment control measures, waste disposal controls, maintenance responsibilities, and non-stormwater management controls, shall be submitted to the RWQCB and maintained onsite, respectively, to comply with the stormwater discharge requirements of the NPDES General Permit.
- A Storm Water Pollution Prevention Plan (SWPPP) in compliance with the local NPDES permit shall be developed and implemented including: 1) site description; 2) erosion and sediment controls; 3) waste disposal; 4) implementation of approved local plans; 5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements; 6) Best Management Practices (BMP) such as the use of infiltration of runoff onsite, first flush diversion, flow attenuation by use of open vegetated swales and natural depressions, stormwater retention or detention structures, oil/water separators, porous pavement, fossil filters, or a combination of these practices for both construction and post-construction period water quality impacts; and 7) non-stormwater management.
- All roof drains shall drain away from the building foundation and discharge into a landscaped area.

NOISE

- Construction operations shall be limited to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit so as to avoid the more sensitive evening, nighttime and weekend hours.
- All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with standard factory silencing features; mufflers shall be used on all heavy construction equipment.

TRANSPORTATION/TRAFFIC

- Fees established by the Benefit Assessment District shall be paid to fund and construct the transportation improvements necessary for the development of the Evergreen Development Policy Area.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on October 27, 2004, any person may:

- (1) Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
- (2) Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND; or
- (3) File a formal written protest of the determination that the project would not have a significant effect on the environment. This formal protest must be filed in the Department of Planning, Building and Code Enforcement, 801 North First Street, San Jose, Room 400 and include a \$50 filing fee. The written protest should make a "fair argument" based on substantial evidence that the project will have one or more significant effects on the environment. If a valid written protest is filed with the Director of Planning, Building & Code Enforcement within the noticed public review period, the Director may (1) adopt the Mitigated Negative Declaration and set a noticed public hearing on the protest before the Planning Commission, (2) require the project applicant to prepare an environmental impact report and refund the filing fee to the protestant, or (3) require the Draft MND to be revised and undergo additional noticed public review, and refund the filing fee to the protestant.

Stephen M. Haase, AICP
Director, Planning, Building and Code Enforcement

Circulated on: _____

Oct 27, 2004

Deputy

[Signature]

Adopted on: _____

Deputy

Memorandum

TO: Deanna Chow
Planning and Building

FROM: Ebrahim Sohrabi
Public Works

**SUBJECT: FINAL RESPONSE TO
DEVELOPMENT APPLICATION**

DATE: 10/08/04

PLANNING NO.: PDC04-026
DESCRIPTION: Planned Development Rezoning from A Agricultural Zoning District and R-1-5 Residence Zoning District to A(PD) Planned Development Zoning District to allow up to 15 single-family detached residences on a 2.25 gross acre site.
LOCATION: southwest corner of Story Road and Clayton Road
P.W. NUMBER: 3-16709

Public Works received the revised submittal for the subject project on 09/17/04 and submits the following comments and requirements.

1. **Public Works Development Review Fee:** An additional Public Works Review Fee is due. Based on established complexity criteria, the project has been rated high complexity. Prior to the project being cleared for the hearing and approval process, a sum of \$1,690 shall be paid to the Department of Public Works (Room 308).
2. **Evergreen Traffic Allocation:** The project site is located within the Evergreen Development Policy Area. Development would be allowed in the EDP Area only if adequate transportation facilities are provided to maintain existing plus approved Level of Service throughout the Area. The City of San Jose established Benefit Assessment District No. 91-209SJ to fund and construct the transportation improvements necessary for development of the Evergreen Development Policy Area. Regional and local improvements of roadways and intersections included in the City of San Jose Engineer's Report for the Benefit Assessment District No. 91-209SJ have been identified as necessary to accommodate the buildout of the EDP Area with a total of 4,759 units.

There appears to be 5 existing homes on the proposed site. However, the one parcel of this proposed site has 10 allocations under the Evergreen Development Policy. The 5 existing units would retain their traffic allocation for a total of 15 units allocation for this proposal.

Public Works Clearance for Building Permit(s): Prior to the issuance of Building permits, the applicant will be required to have satisfied all of the following Public Works conditions. The applicant is strongly advised to apply for any necessary Public Works permits prior to applying for Building permits.

Public Works Approval of Parcel Map or Tract Map: Prior to the approval of the tract or parcel map by the Director of Public Works, the applicant will be required to have satisfied all of the following Public Works conditions.

3. **Construction Agreement:** The public improvements conditioned as part of this permit require the execution of a Construction Agreement that guarantees the completion of the public improvements to the satisfaction of the Director of Public Works. This agreement includes privately engineered plans, bonds, insurance, a completion deposit, and engineering and inspection fees.
4. **Grading/Geology:**
 - a) A grading permit is required prior to the issuance of a Public Works Clearance.
 - b) If the project proposes to haul more than 10,000 cubic yards of cut/fill to or from the project site, a haul route permit is required. Prior to issuance of a grading permit, contact the Department of Transportation at (408) 277-4304 for more information concerning the requirements for obtaining this permit.
 - c) Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents must be submitted to the City Project Engineer prior to issuance of a grading permit.
 - d) A geologic report addressing the potential hazards of fault rupture, slope stability, and erosion must be submitted to and accepted by the City Engineering Geologist prior to environmental clearance or zoning approval.
5. **Sewage Fees:** In accordance with City Ordinance all storm sewer area fees, sanitary sewer connection fees, and sewage treatment plant connection fees, less previous credits, are due and payable.
6. **Undergrounding:**
 - a) The In Lieu Undergrounding Fee shall be paid to the City for all frontage adjacent to Story Road and Clayton Road prior to issuance of a Public Works clearance. 100 percent of the base fee in place at the time of payment will be due. (Currently, the base fee is \$224 per linear foot of frontage.)
 - b) The Director of Public Works may, at her discretion, allow the developer to perform the actual undergrounding of all off-site utility facilities fronting the project adjacent to Story Rd. and Clayton Rd. Developer shall submit copies of executed utility agreements to Public Works prior to the issuance of a Public Works Clearance.

7. Street Improvements:

- a) Applicant shall be responsible to remove and replace curb, gutter, and sidewalk damaged during construction of the proposed project.
- b) Construct half street improvements including curb, gutter, AC pavement and sidewalk along Story Rd., Clayton Rd. and Arthur Ave. frontages.
- c) Install handicap ramp at the corner of Story Rd. and Clayton Rd.
- d) Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
- e) Repair, overlay, or reconstruction of asphalt pavement may be required. The existing pavement will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.
- f) Construction of storm infrastructure (storm main, inlets, laterals) is required along the Story Rd. and Clayton Rd. frontages.

8. Complexity Surcharge (In-Fill): This project has been identified as an in-fill project, and as such is subject to the following:

- a) Based on established criteria, the public improvements associated with this project have been rated medium complexity. An additional surcharge of 25% will be added to the Engineering & Inspection (E&I) fee collected at the street improvement stage.

9. Sanitary: The project is required to submit plan and profile of the private sewer mains with lateral locations for final review and comment prior to construction.

10. Electrical:

- a) Installation, relocation, and/or relamping of electrolier(s) may be required along project frontages.
- b) Relocate existing electrolier to maintain 10' minimum clearance between driveway and electrolier.
- c) Locate and protect existing electrical conduit in driveway and/or sidewalk construction.
- d) Provide clearance for electrical equipment from driveways, and relocate driveway or electrolier. The minimum clearance from driveways is 10' in commercial areas and 5' in residential areas.
- e) Provide clearance for electroliers from overhead utilities and request clearance from utility companies. Clearance from electrolier(s) must provide a minimum of 10' from high voltage lines; 3' from secondary voltage lines; and 1' from communication lines.

11. Landscape:

- a) Install street trees within the public right-of-way along the entire street frontage per City standards.
- b) The locations of the street trees will be determined at the street improvement stage. Street trees shown on this permit are conceptual only.
- c) Contact the City Arborist at (408) 277-2756 for the designated street tree.

12. **Private Streets:**

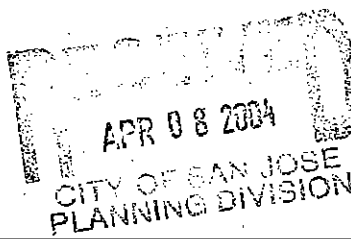
- a) Per Common Interest Development (CID) Ordinance, all common infrastructure improvements shall be designed and constructed in accordance with the current CID standards.
- b) The plan set includes details of private infrastructure improvements. The details are shown for information only; final design shall require the approval of the Director of Public Works.

Please contact the Project Manager, Andrew Turner, at (408) 277-5161 if you have any questions.



Ebrahim Sohrabi
Senior Civil Engineer
Transportation and Development Services Division

ES:AT:lt
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Memorandum

ENVIRONMENTAL SERVICES DEPARTMENT (ESD)

TO: Deanna Chow
Department of Planning,
Building, & Code Enforcement

FROM: Geoff Blair
Environmental Services Department

SUBJECT: Response to Development
Application

DATE: Staff Review Agenda
April 8, 2004

APPROVED: *Geoff Blair* **DATE:** 4-8-04

PLANNING NO. :	PDC04-026
LOCATION:	1117 Clayton Road. Southwest corner of Story Road and Clayton Road.
DESCRIPTION:	Planned Development Rezoning from A Agricultural Zoning District and R-1-5 Residence Zoning District to A(PD) Planned Development Zoning District to allow up to 18 single-family detached residences on a 2.25 gross acre site.
APN:	64707063

ESD received the subject project and is submitting the following conditions and comments. Questions regarding these comments may be directed to the program contact given or to me at (408) 945-5332.

Integrated Waste Management (IWM)

Single Family Residential

1. Collection vehicle access (vertical clearance, street width and turnaround space) and street parking are common issues pertaining to new developments. All residential projects must be designed¹ such that they will accommodate garbage and recycling collection vehicles and program setout guidelines. A review of the plans indicate potential access issues with the collection vehicles. The private drive is narrow and the vehicles will have difficulty collecting containers especially if street parking is allowed. The turnaround radius is inadequate causing the collection vehicles to back up a long distance and turnaround at Arthur Avenue. For questions regarding garbage and recycling collection issues, contact the Recycle Plus Program at (408) 277-5533.
2. It is recommended that scrap construction and demolition debris be recycled instead of disposing of it in a landfill. An infrastructure exists within San Jose to accommodate such recycling efforts. Integrated Waste Management staff can provide assistance on how to recycle construction and demolition debris from the project, including information on where to conveniently recycle the material. For further information, contact the Commercial Solid Waste Program at (408) 277-5533.

¹ In accordance with the San Jose Residential Design Guidelines

Memorandum

TO: Deanna Chow
Planning and Building

FROM: Nadia Naum-Stoian,
Fire Prevention Engineer
San Jose Fire Department

SUBJECT: INITIAL RESPONSE TO
DEVELOPMENT APPLICATION

DATE: 04/08/04

Approved

Date

PLANNING NO.: PDC04-026
DESCRIPTION: Planned Development Rezoning from A Agricultural Zoning District and R-1-5 Residence Zoning District to A(PD) Planned Development Zoning District to allow up to 18 single-family detached residences on a 2.25 gross acre site
LOCATION: southwest corner of Story Road and Clayton Road
ADDRESS: southwest corner of Story Road and Clayton Road (1117 CLAYTON RD)
FOLDER #: 04 106852 ZN

The San Jose Fire Department has reviewed the related plans as submitted and has the following comments and requirements.

- These comments are based on the following information:

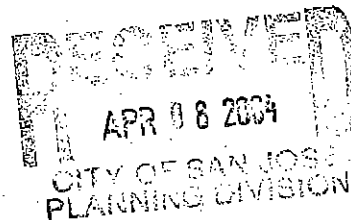
Largest building: 2,540 sq. ft.

Construction Type: VN

Occupancy Group: R-3

Number of stories: 2

- Site fire flow requirement: 2,000 G.P.M.
- Average hydrant(s) spacing: 450 feet - Subject to Fire Department approval
- Comply with comments from the Building/Fire Departments at the plan review stage.
- A permit must be obtained from the Building and Fire Departments. Submit three (3) sets of construction plans to the Building Department, one (1) of those sets of plans will be routed to the San Jose Fire Department for review and comments.



• **THE FOLLOWING CORRECTIONS SHALL APPLY TO THE SUBJECT APPLICATION:**

1. The needed fire flow noted above shall be provided from a minimum of 2 hydrants and shall be spaced apart on average 450 feet from the proposed project. Fire flow may be reduced upon construction of a four-hour wall, without openings, as per the adopted fire code. Construction of the area separation wall(s) is subject to review by the Fire Department.
2. Approved access road(s) and hydrant(s) shall be provided once wood framing is available at site or provide an alternate means of water suppression subject to the approval of the Fire Department. Obtain permit and pay applicable fees prior to the installation. Contact the San Jose Fire Department's Fire Protection Systems Section at (408) 277-8756.
3. All Fire Department access roads, water mains, and fire hydrants shall be installed and operational during construction in accordance with Article 87 of the Fire Code and all other applicable standards.
4. All roads used for emergency vehicle access shall be designed and tested for a live load capacity of 69,000 pounds to accommodate our fire apparatus.

• **THE FOLLOWING GENERAL REQUIREMENTS ARE APPLICABLE TO THE SUBJECT APPLICATION:**

- Facilities for emergency vehicle access:
 - A. Minimum turning radius shall be 30 feet inside and 50 feet outside.
 - B. Fire lanes shall be suitably marked with standard signs, painted curbs, and/or other markers as approved or authorized for use by the Chief. Fire lane markings shall be indicated on plans submitted through the building permit process for review and approval by the Fire Department.
 - C. Streets/roadways shall be maintained with a maximum gradient of 15 percent.
- Public (off-site) and private (on-site) fire hydrants shall be provided. All hydrants must meet the specifications for the City of San Jose's Fire Department. For hydrant locations please contact the San Jose Fire Department's Fire Protection Engineering Division at (408) 277-5357.
- All existing and new fire hydrants shall be at least 10 feet from all driveways.
- All structures shall be located wholly within 450 feet (road distance) of an accessible standard street hydrant.

- All dead-end streets or roads shall have a hydrant within 175 feet from the most remote end of the rear lot as per the Uniform Fire Code.
- Street numbers shall be visible day and night from the nearest street, either by means of illumination or by the use of reflective materials.
- We reserve the right to make comments at a future date.

If you have any questions regarding these items, please contact me at (408) 277-8754.



BY: Nadia Naum-Stoian, FPE
Bureau of Fire Prevention
San Jose Fire Department

Fire Site Memo to Planning Application

EXHIBIT "C"

GENERAL DEVELOPMENT PLAN
FOR UP TO 18 SINGLE FAMILY DETACHED RESIDENTIAL
LANDS OF ECHAVARRIA AND DAVIS

S/E CORNER OF STORY AND CLAYTON ROADS

CHARLES W. DAVIDSON CO. DEVELOPER

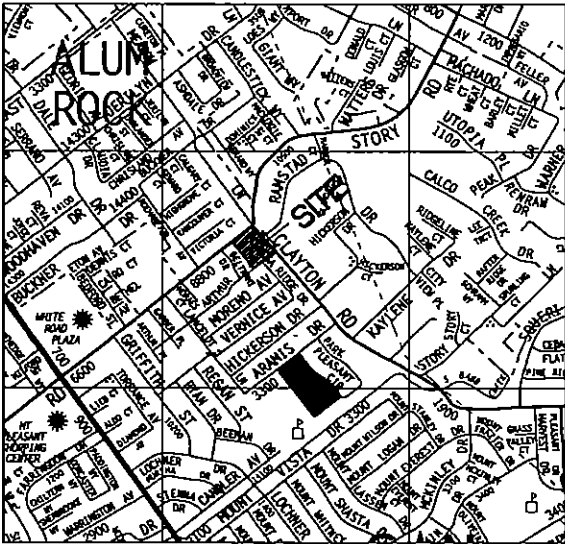
TABLE OF CONTENTS

Sheet Number	Description
1	Title Sheet
2	Land Use Plan
3	Conceptual Site Plan
4	Conceptual Grading and Drainage Plan
5.1 - 5.9	Conceptual Building Floor Plans and Elevations
6	Conceptual Landscape Plan

STATEMENTS AND TABLES

a. total acres of subject property	gross	2.18 ± ac
	public street dedication*	0.35 ± ac
	private street dedication	0.29 ± ac
	net	1.54 ± ac
* Developer has provided the city with an irrevocable offer of street dedication.		
b. total number of dwelling units		15 du's
c. total amount of floor space for:		
	single family detached residential	0.67 ± ac
d. total amount of surface area for:		
	off-street parking	0.15 ± ac
	percentage of off-street parking	9.7 %
e. total number of off-street parking required		2:1
	provided	2:1
f. total footprint area of:		
	buildings	0.45 ± ac
	percentage of footprint area	29.3 %
g. total private open space		0.94 ± ac
	percentage of private open space	61.0 %
h. density		
	15du/1.54ac	9.74 du/ac net

LOCATION MAP



DEVELOPMENT SCHEDULE

TIME OF COMMENCEMENT	_____
TIME OF COMPLETION	_____

REVISIONS

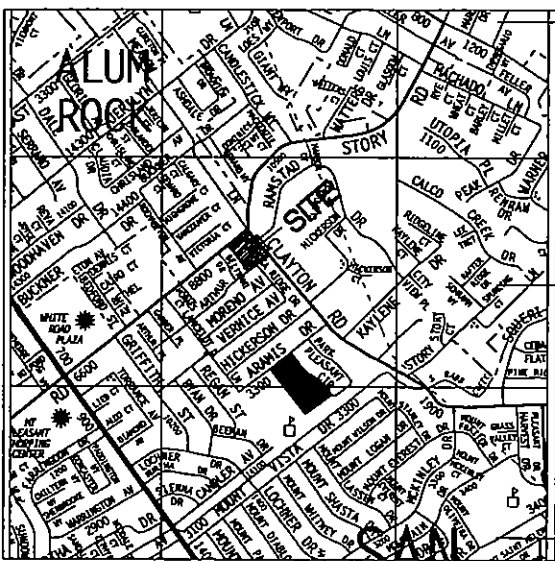
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DATE	MAR 23, 2004	SCALE	AS SHOWN	DRAWN BY	lou	CHECKED BY	
REVISIONS	START ROADWAY/ROAD DEDICATION						
	GENERAL REVISIONS						
Charles W. Davidson Co. A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 25.5 N. 4TH ST. SUITE 100-2406 SAN JOSE, CA 95131 TEL. (408) 263-3182 FAX (408) 263-3181							
SUPERVISED BY REGISTERED CIVIL ENGINEER NO. 15213 EXPIRES 12/31/09							
COVER SHEET LANDS OF ECHAVARRIA & DAVIS SAN JOSE, CALIFORNIA							
JOB NO. 1669							
SHEET 1							
OF							

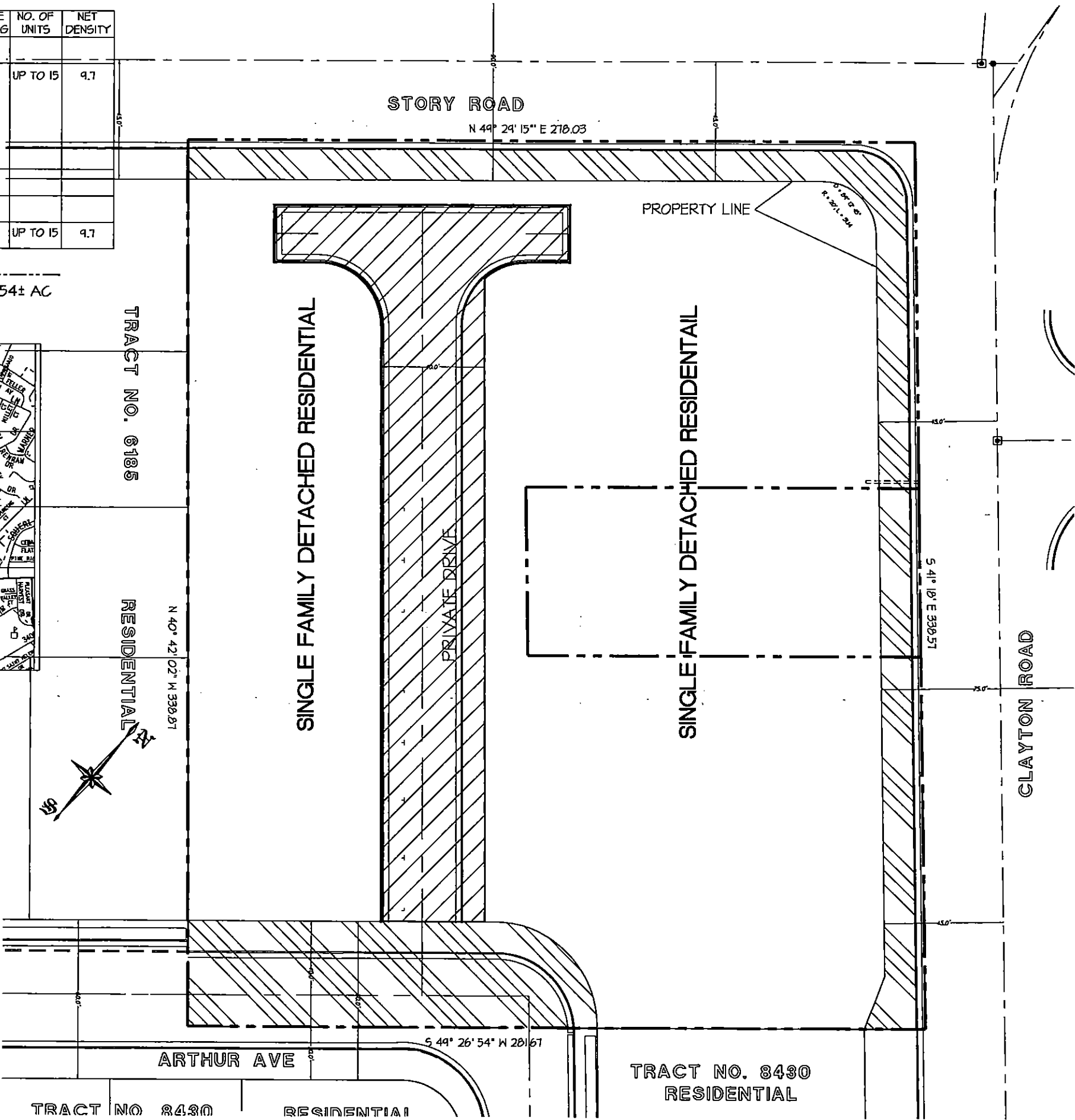
LAND USE TABLE

SYMBOL	USE	AREA	INTENSITY	ON SITE PARKING	NO. OF UNITS	NET DENSITY
	PUBLIC STREET	0.35	16.1			
	SIN FAM DET RES	1.54	70.6	2:1	UP TO 15	9.7
	APRON SPACE	(0.15)	(9.7)			
	BUILDING	(0.45)	(29.3)			
	PVT OPEN SPACE	(0.94)	(61.0)			
	SUB-TOTAL	(1.54)	(100%)			
	PVT STREET	0.24	13.3			
	TOTAL	2.18 AC.	100%	2:1	UP TO 15	9.7

BOUNDARY OF PD ZONING
GROSS AREA = 2.18± AC; NET AREA = 1.54± AC
APN 647-07-061/062 & 063



LOCATION MAP



DATE: 10/14/04
10/26/04
9/23/04
10/14/04

REVISIONS:
STORY ROAD/CLAYTON ROAD DEDICATION
DROPPED UNITS FROM 15 TO 10
GENERAL REVISIONS

DATE: MAR 23, 2004
SCALE: 1" = 20'
DRAWN BY: JDU
CHECKED BY:

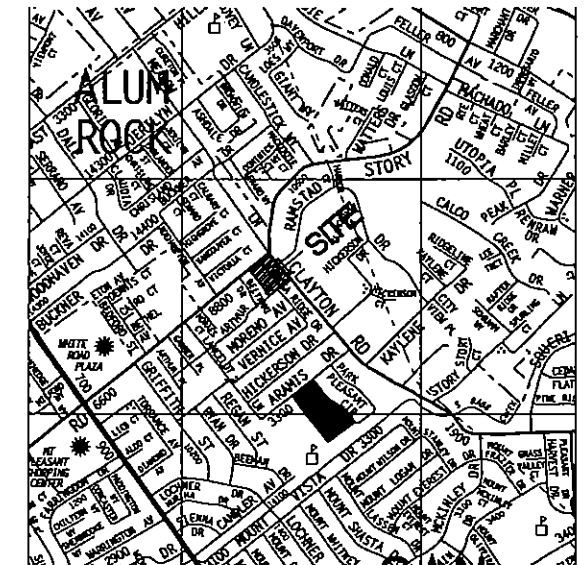
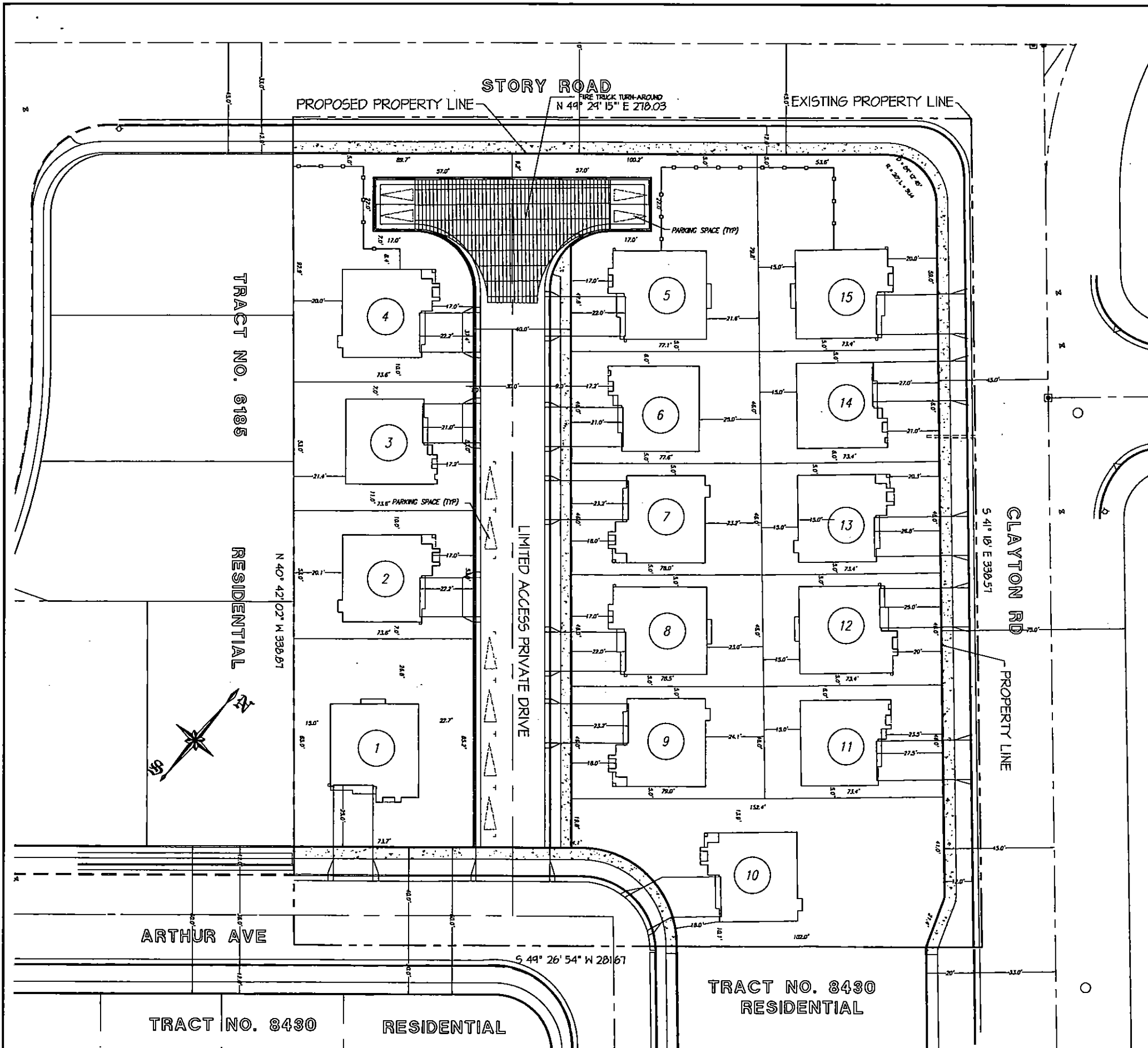
Shirley M. Davidson, Esq.
CONSULTING ENGINEER
240 N. JAVIER ST., #200 SAN JOSE, CA 95110-7408
TEL: (408) 252-5152 FAX: (408) 252-1511

SUPERVISED BY:
REGISTERED CIVIL ENGINEER NO. 12121
EXPIRED 12/31/09

LAND USE PLAN
LANDS OF ECHAVARRIA AND DAVIS
SAN JOSE, CALIFORNIA

JOB NO.
1669

SHEET
2.1



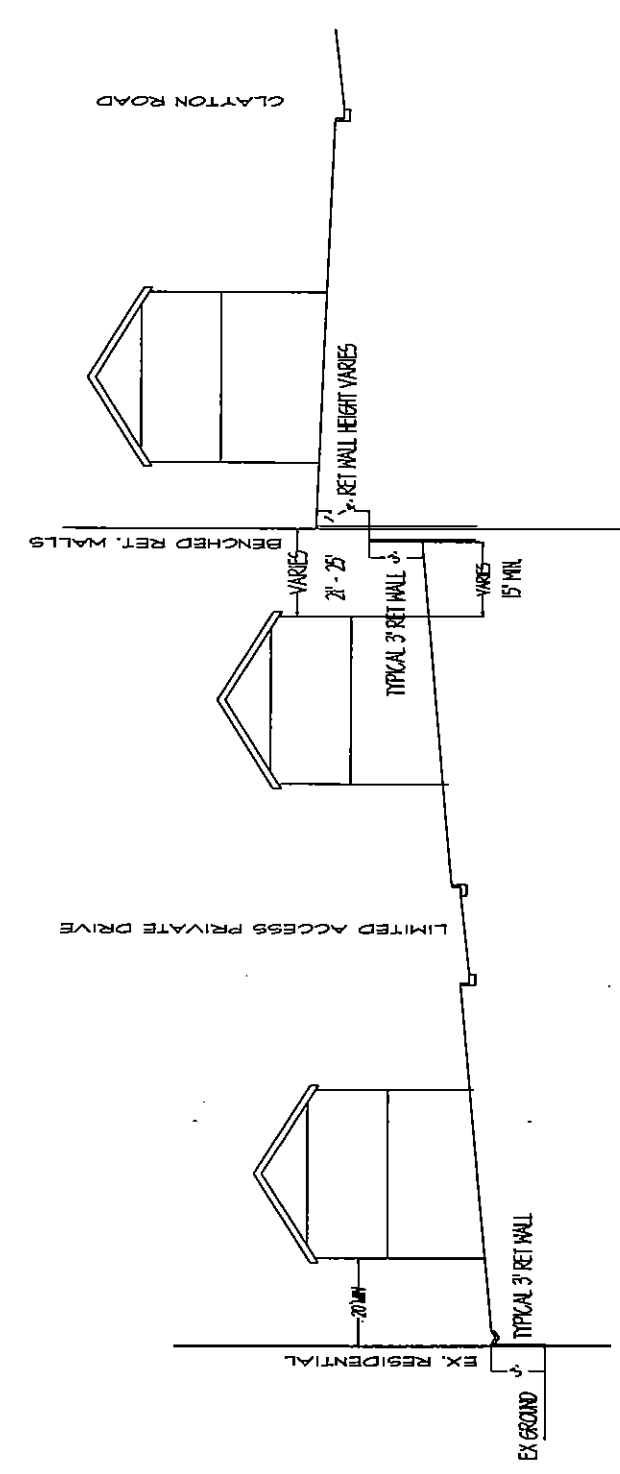
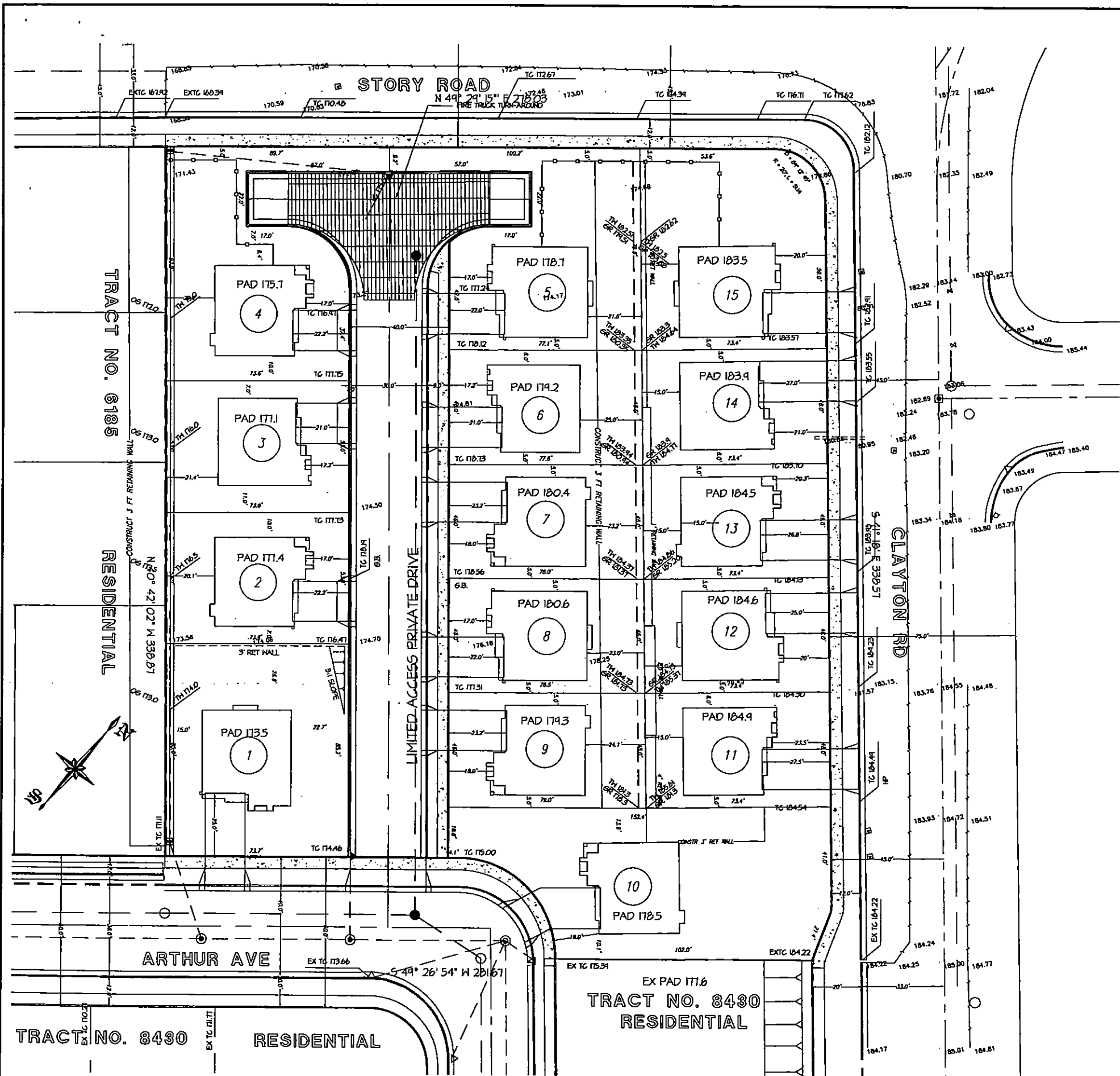
LOCATION MAP

CLAYTON RD

NOTE: HOUSE PLANS PLOTTED ARE SHOWN FOR SETBACK AND DRIVEWAY LOCATION PURPOSES ONLY. FINAL HOUSE MIX SHALL BE DETERMINED AT THE BUILDING PERMIT STAGE.

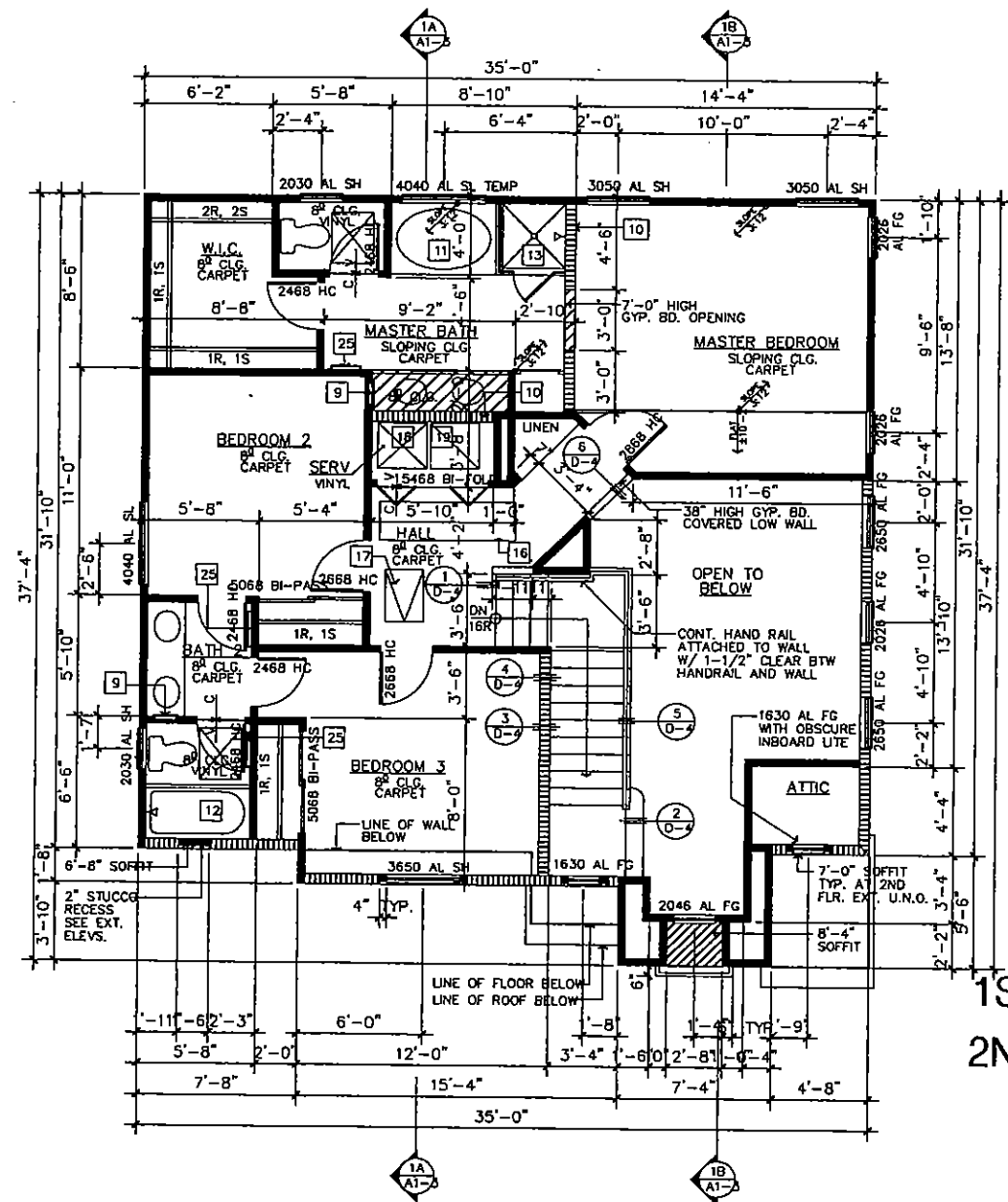
PDC 04-026

DATE	2/28/2004	REVISIONS	1.0	DATE	MAR 23, 2004	REVISIONS	2.0
BY	WZB/DA	DESCRIPTION	STREET RECONSTRUCTION ROAD DEDICATION	BY	WZB/DA	DESCRIPTION	STREET RECONSTRUCTION ROAD DEDICATION
CHECKED BY	WZB/DA	SCALE	1" = 20'	CHECKED BY	WZB/DA	SCALE	1" = 20'
DRAWN BY	WZB/DA	PROJECT NO.	1669	DRAWN BY	WZB/DA	PROJECT NO.	1669
PROJECT NO.	1669	PROJECT NAME	LANDS OF ECHAVARRIA AND DAVIS	PROJECT NO.	1669	PROJECT NAME	LANDS OF ECHAVARRIA AND DAVIS
PROJECT ADDRESS	250 N. JUAN ST., SUITE 100, SAN JOSE, CA 95110-7408	PROJECT PHONE	(408) 253-7112	PROJECT ADDRESS	250 N. JUAN ST., SUITE 100, SAN JOSE, CA 95110-7408	PROJECT PHONE	(408) 253-7112
PROJECT FAX	(408) 253-7113	PROJECT EMAIL	WZB@WZB.COM	PROJECT FAX	(408) 253-7113	PROJECT EMAIL	WZB@WZB.COM
SUPERVISOR	Charles M. Davidson, Esq.	ENGINEER	Charles M. Davidson, Esq.	SUPERVISOR	Charles M. Davidson, Esq.	ENGINEER	Charles M. Davidson, Esq.
REGISTERED CIVIL ENGINEER	NO. 10000	REGISTERED CIVIL ENGINEER	NO. 10000	REGISTERED CIVIL ENGINEER	NO. 10000	REGISTERED CIVIL ENGINEER	NO. 10000
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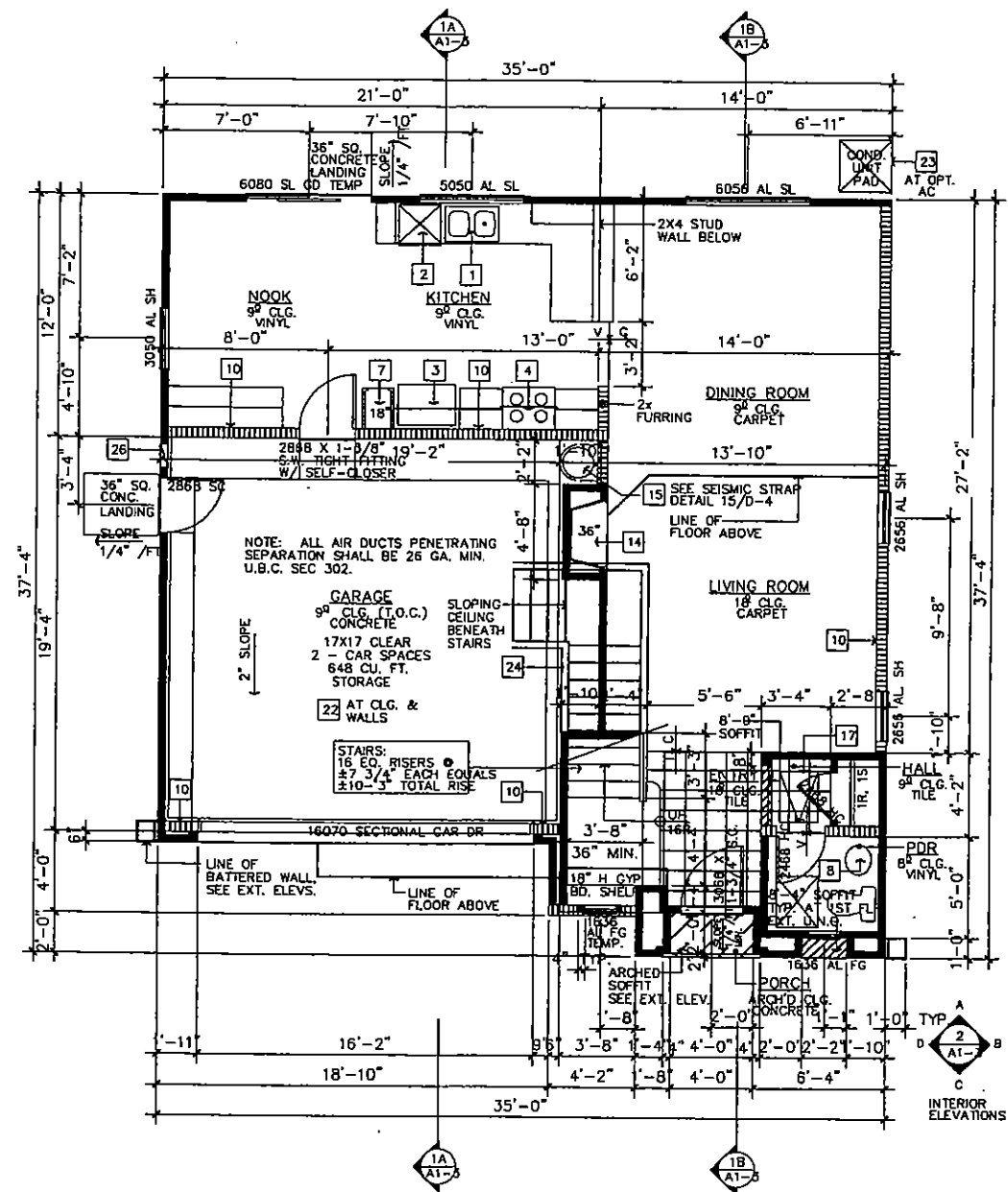


CONCEPTUAL GRADING AND DRAINAGE PLAN LANDS OF ECHAVARRIA AND DAVIS		SUPERVISED BY		Charles P. Davidson Esq. A CALIFORNIA CORPORATION CONSULTING CIVIL ENGINEERS 230 N. JULESS ST. #200 SAN JOSE, CA 95131 TEL (408) 285-3182 FAX (408) 381-1511		DATE	18 FEB 2004	REVISIONS	STORY ROAD/CLAYTON ROAD DEDICATION DROPPED UNITS FROM 15 TO 15.	DATE
						SCALE	1" = 20'			7/26/04
						DRAWN BY	lou			9/23/04
						CHECKED BY				
SAN JOSE, CALIFORNIA		RESTON CIVIL ENGINEER NO. 14212 COWEN BUILDING EXP. 02/1/09								
JOB NO. 1669										
SHEET 4										
OF										

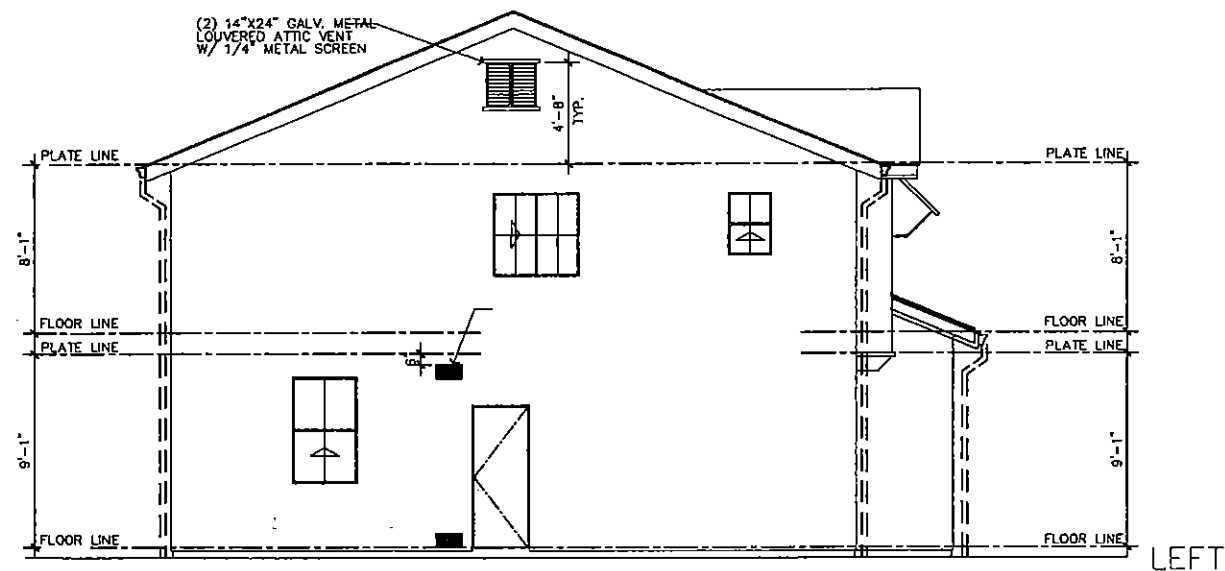
PDC 04-026



1ST FLOOR 772 sf
 2ND FLOOR 853 sf
 TOTAL 1625 sf
 GARAGE 391 sf



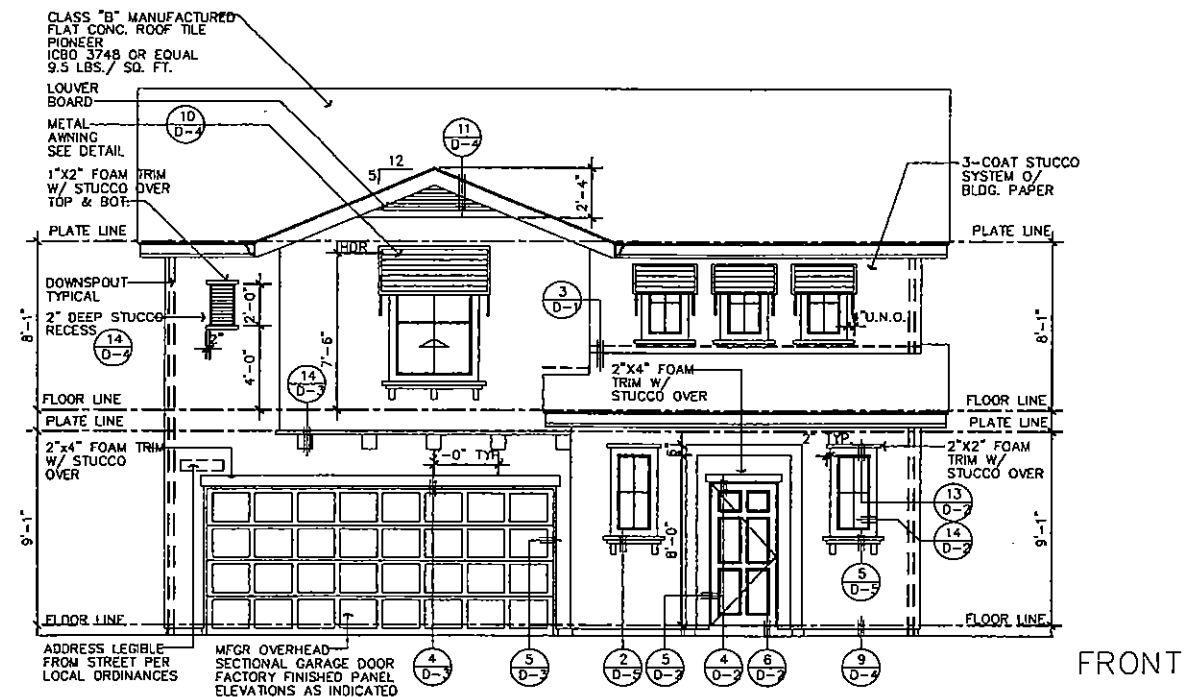
CONCEPTUAL FLOOR PLAN 1625



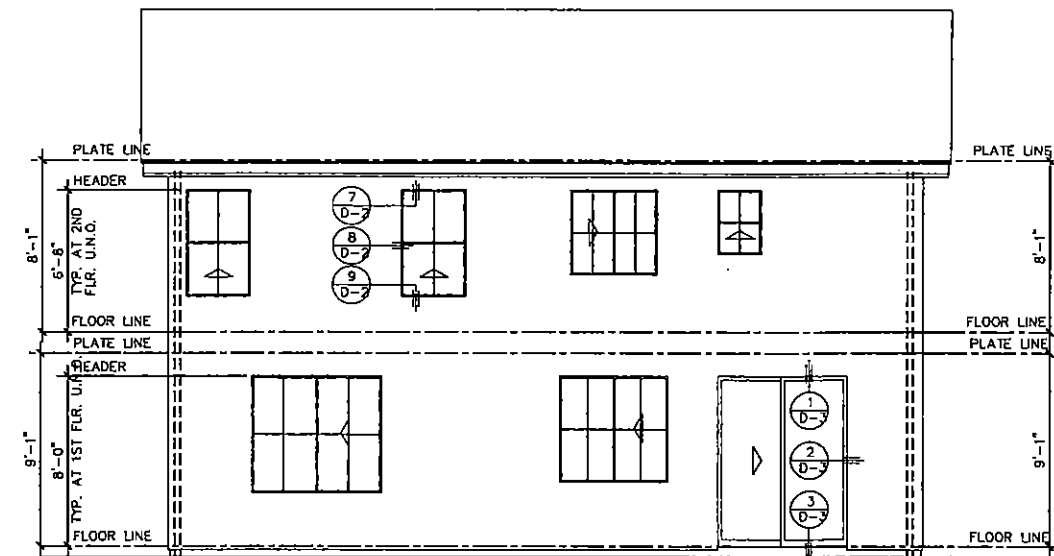
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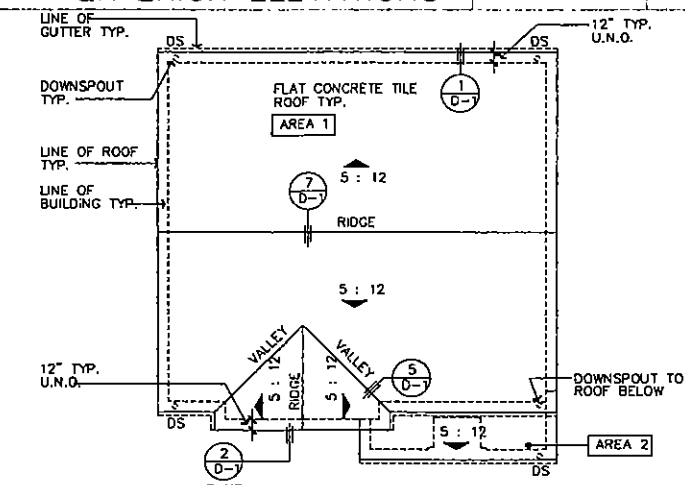


FRONT



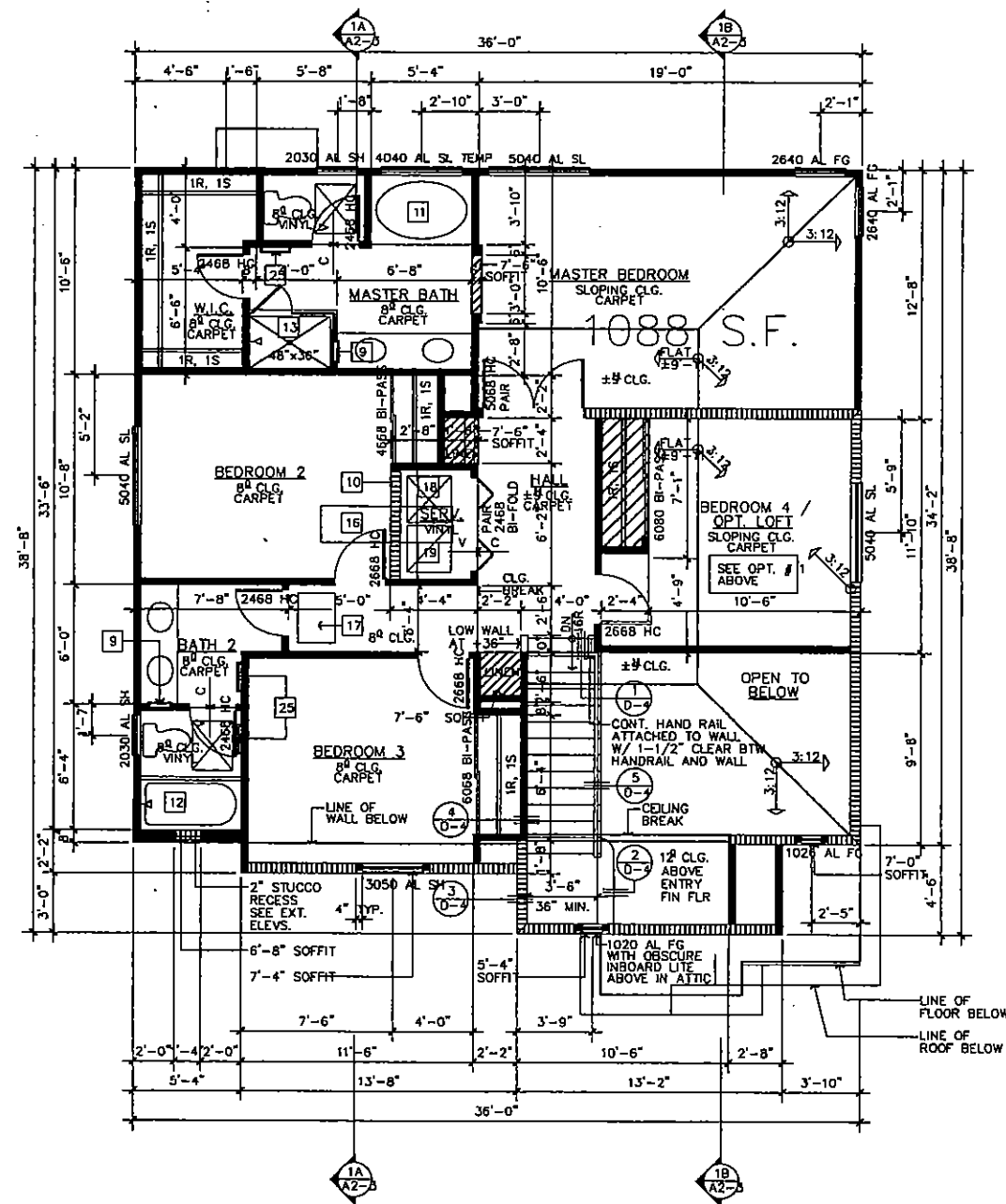
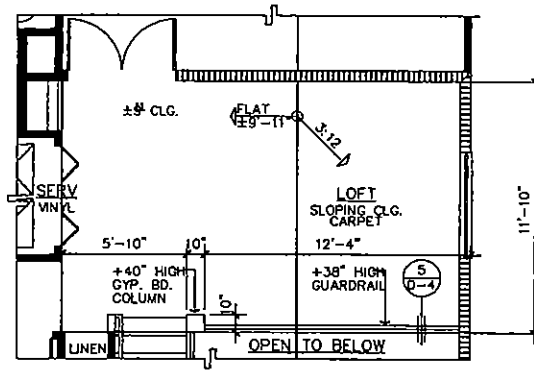
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CONCEPTUAL EXTERIOR ELEVATIONS SCALE : 1/4" = 1'-0"

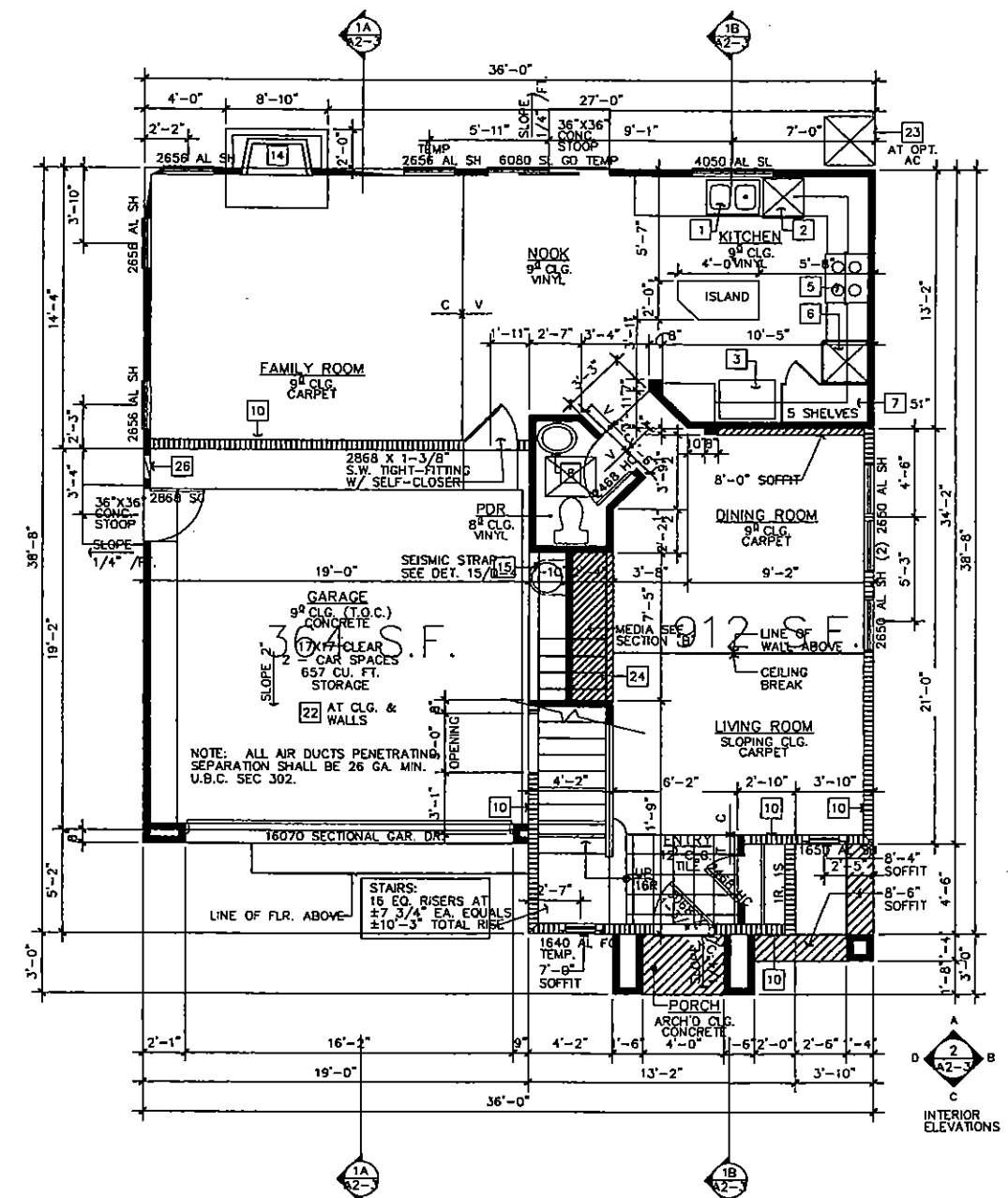


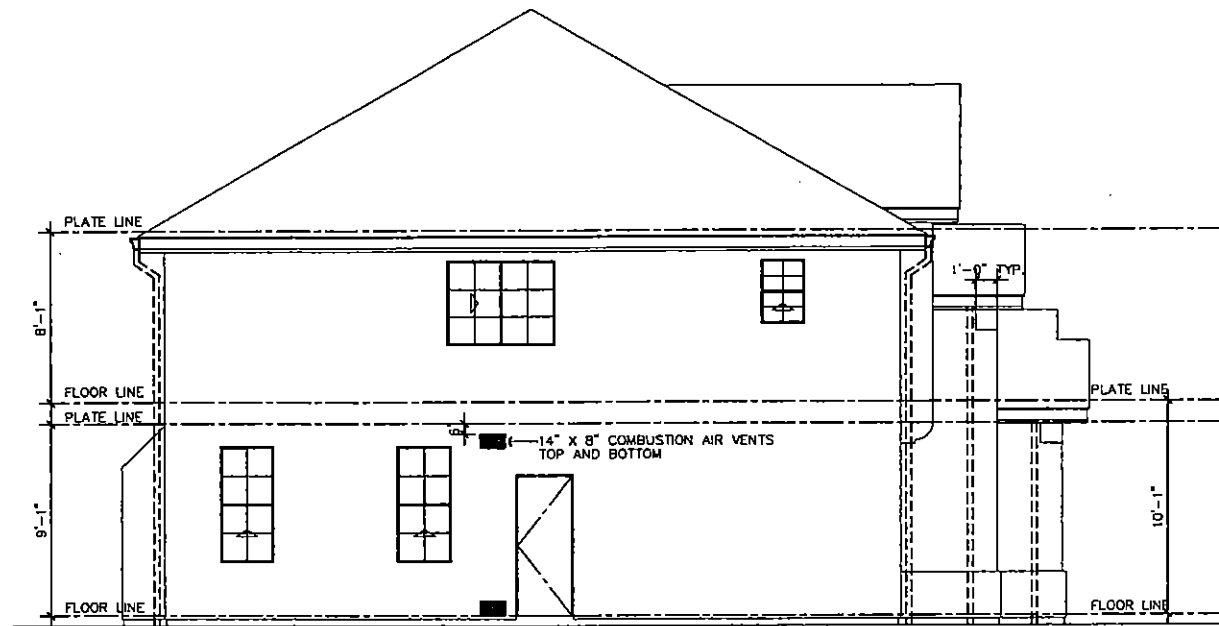
ROOF PLAN SCALE : 1/8" = 1'-0"

PLAN 1625
'B' EXTERIOR
ELEVATIONS &
ROOF PLAN

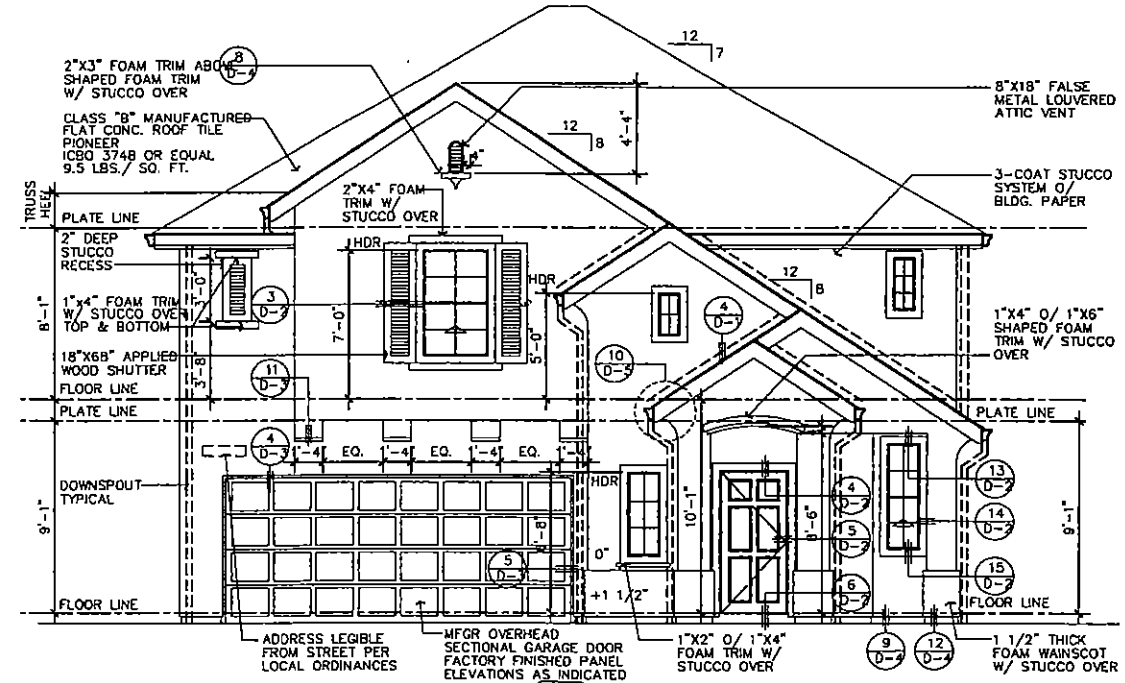


912 S.F. 1ST FLOOR
1088 S.F. 2ND FLOOR
2,000 S.F. TOTAL
364 S.F. GARAGE

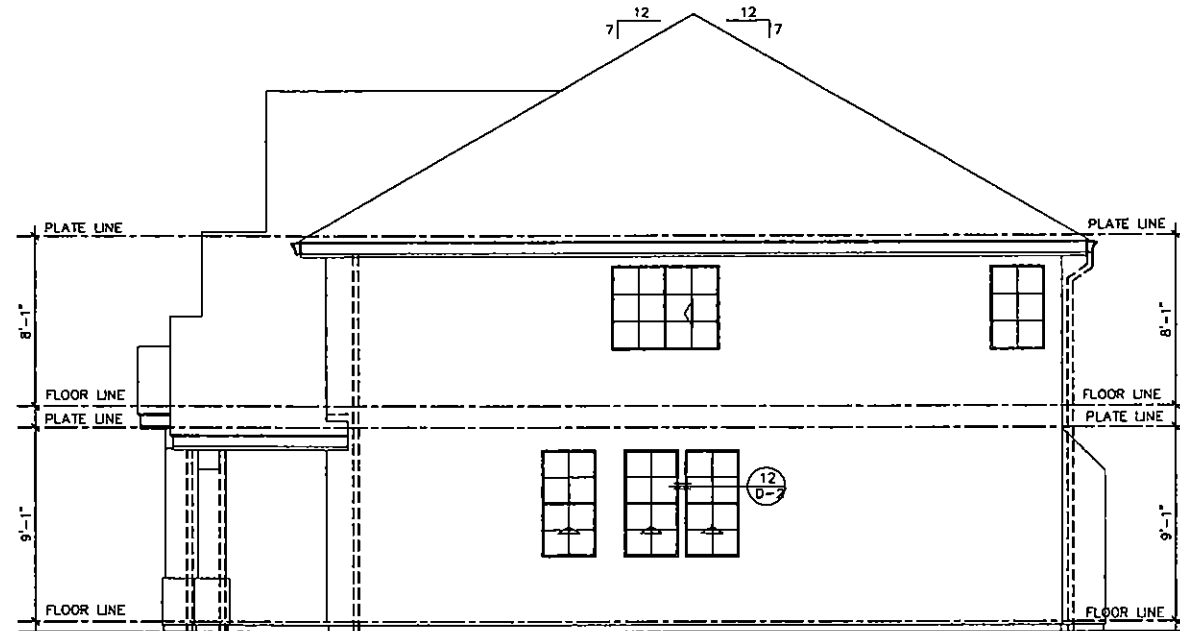




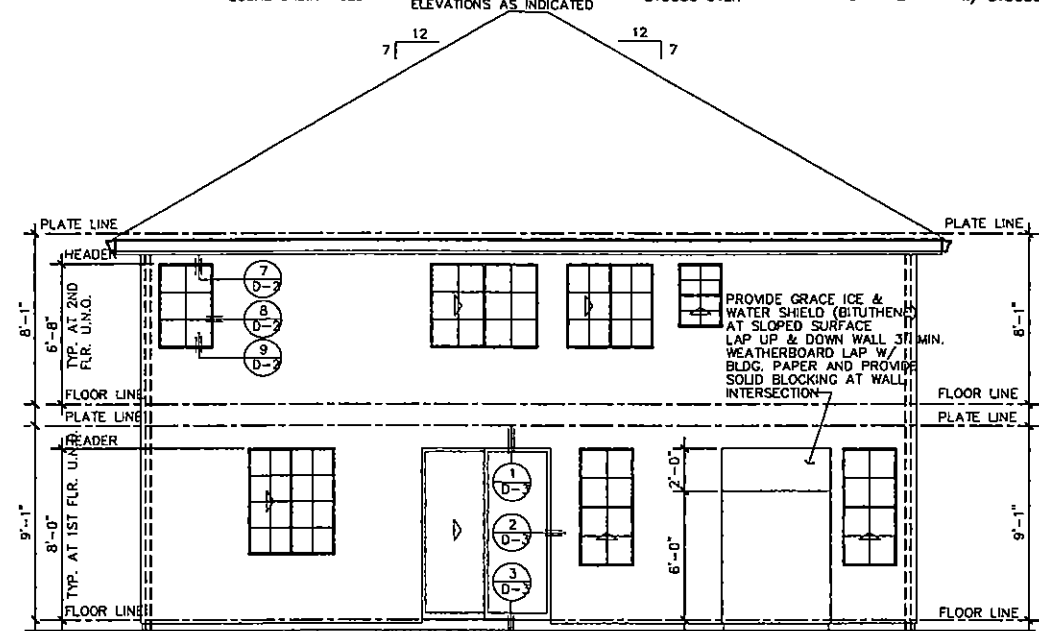
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FRONT

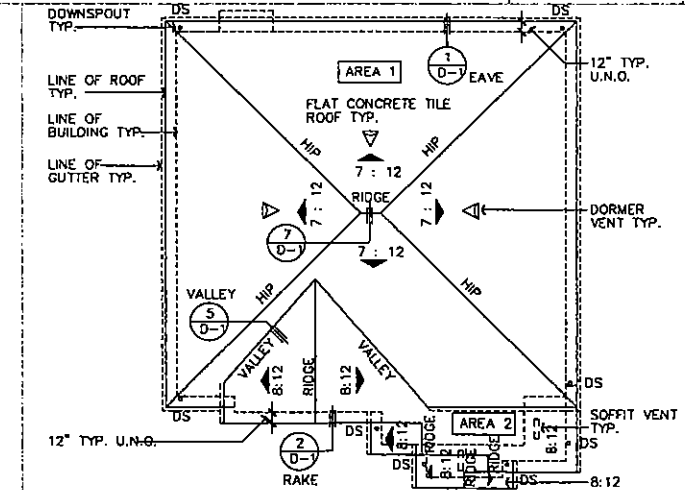


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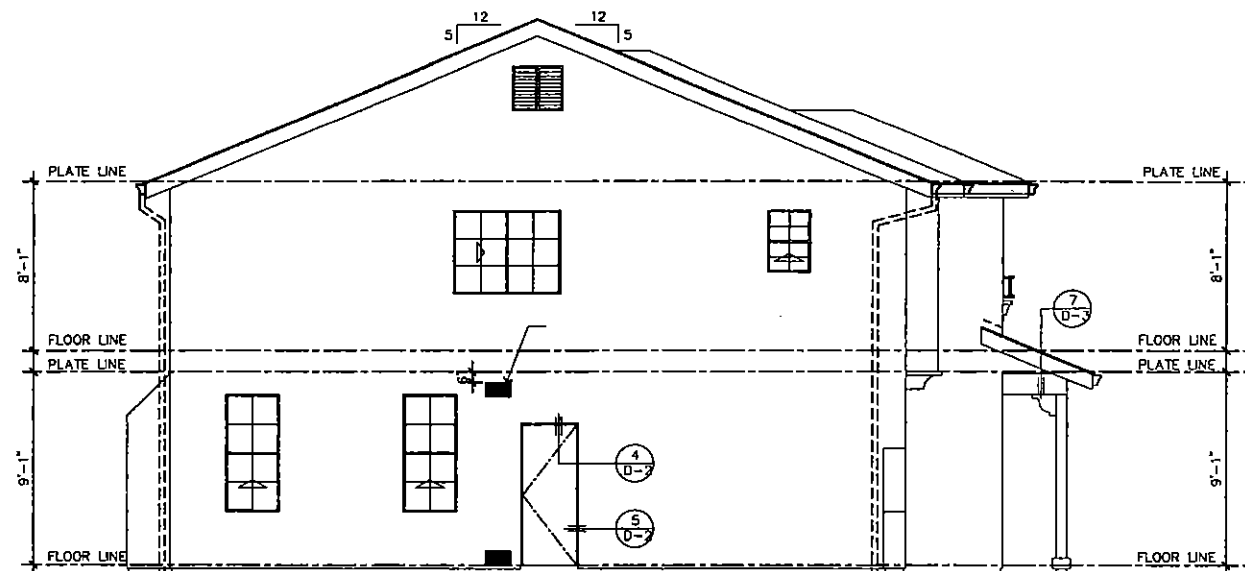
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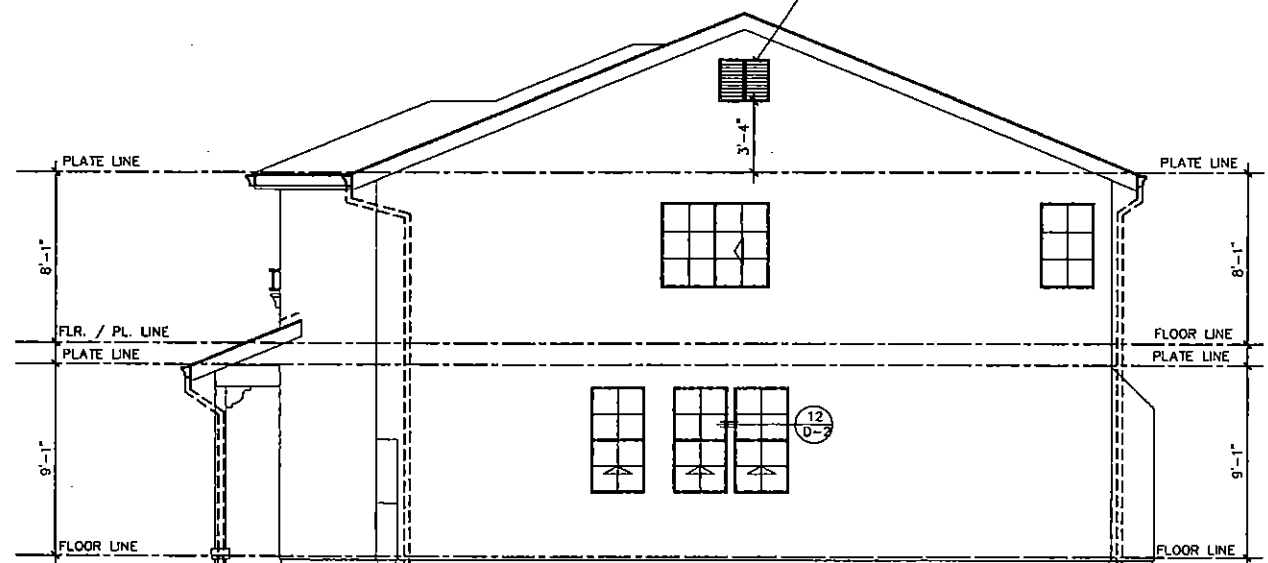


ROOF PLAN SCALE: 1/8" = 1'-0"

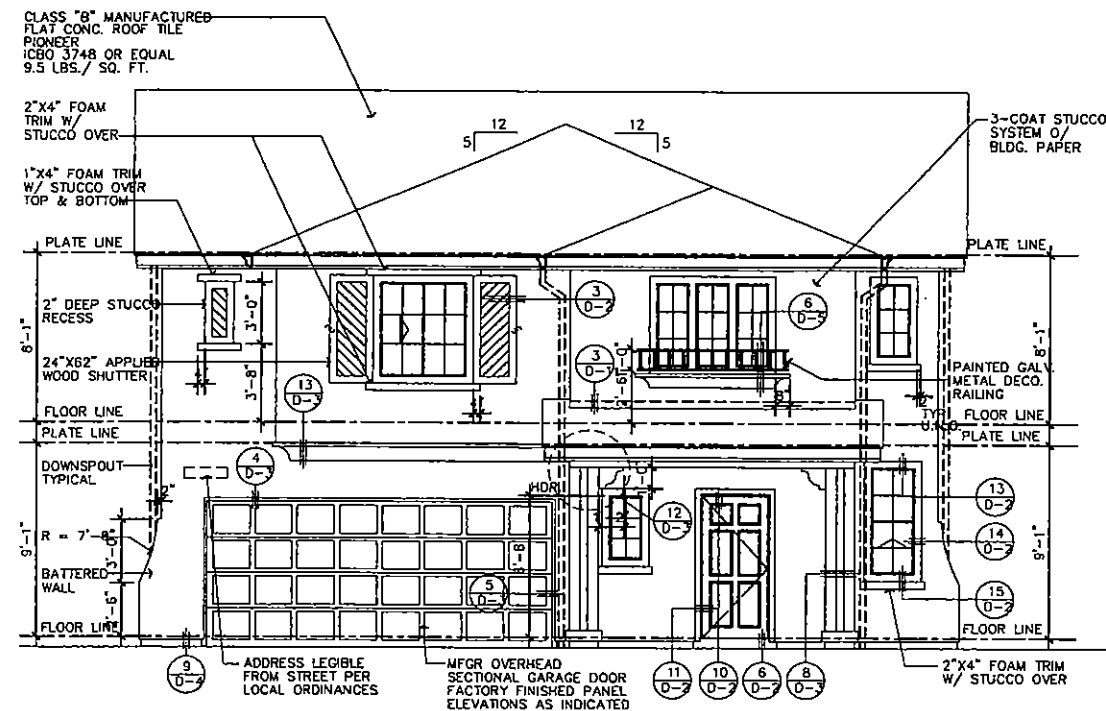
PLAN 2000
'A' EXTERIOR
ELEVATIONS &
ROOF PLAN



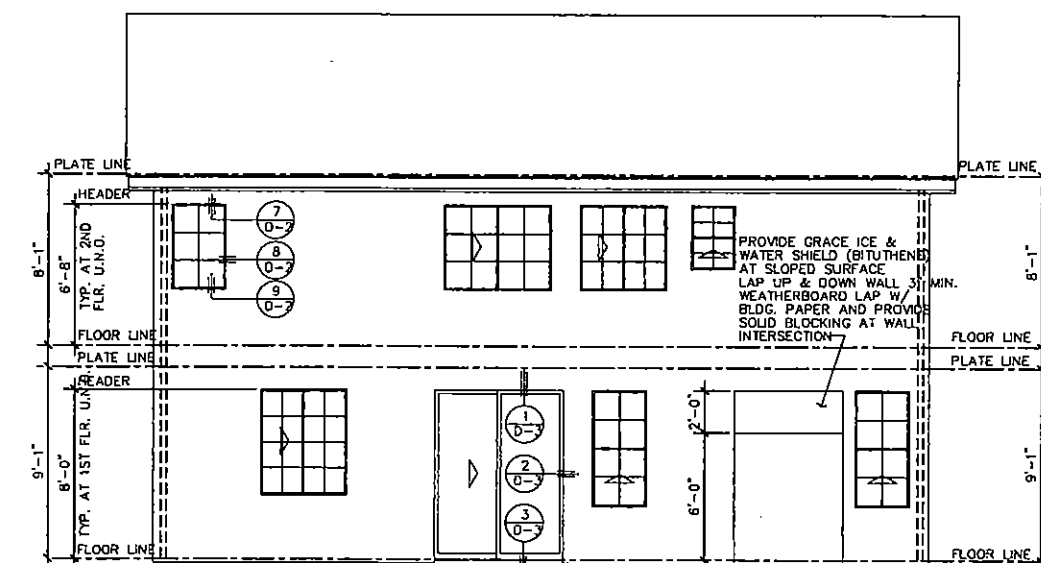
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RIGHT



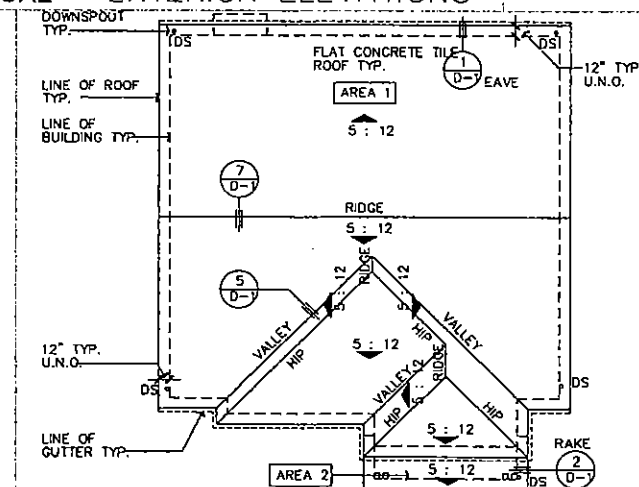
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CONCEPTUAL EXTERIOR ELEVATIONS

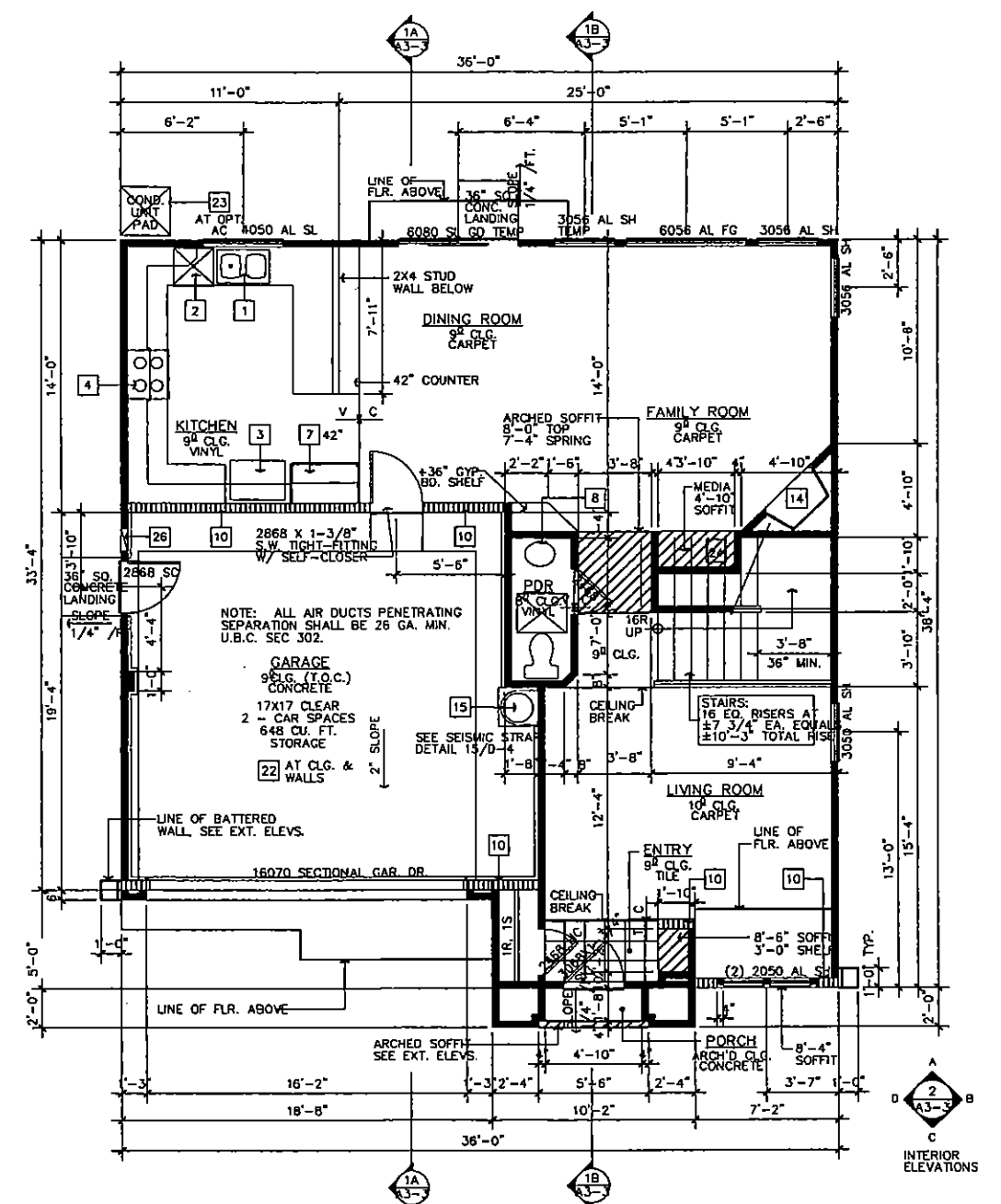
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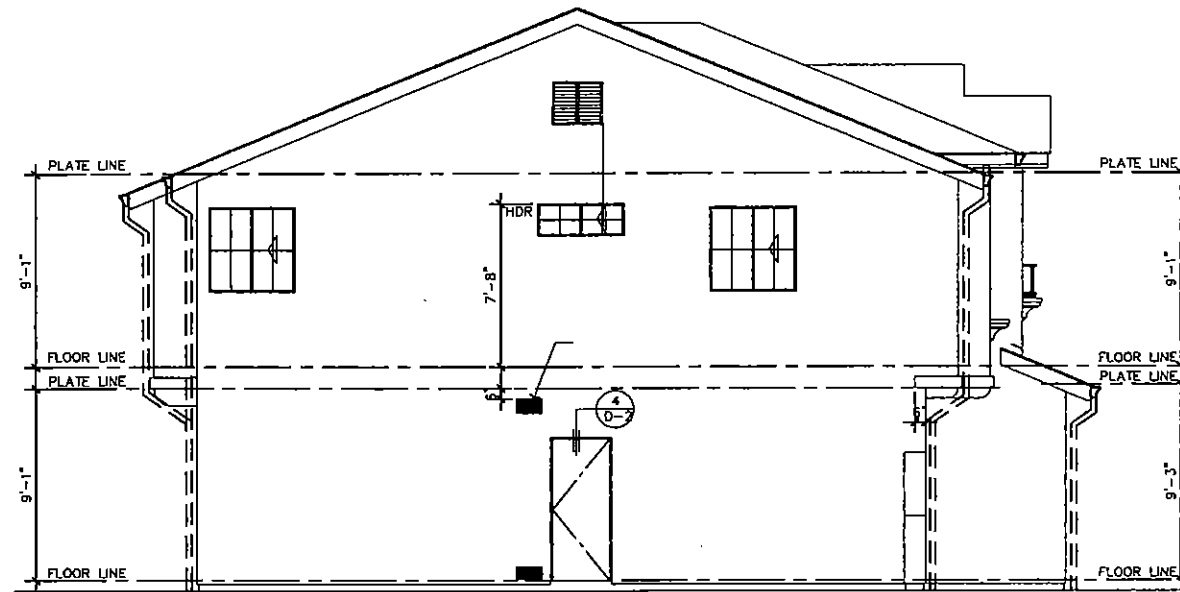


ROOF PLAN

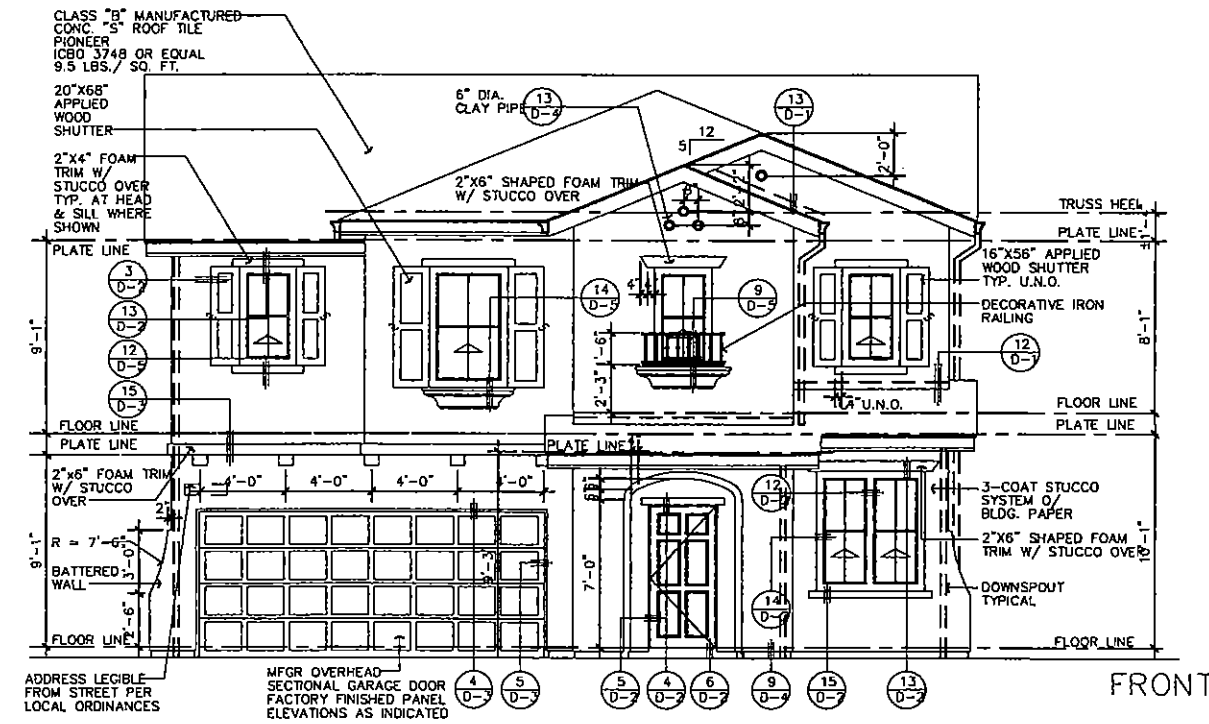
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PLAN 2000
'B' EXTERIOR
ELEVATIONS &
ROOF PLAN

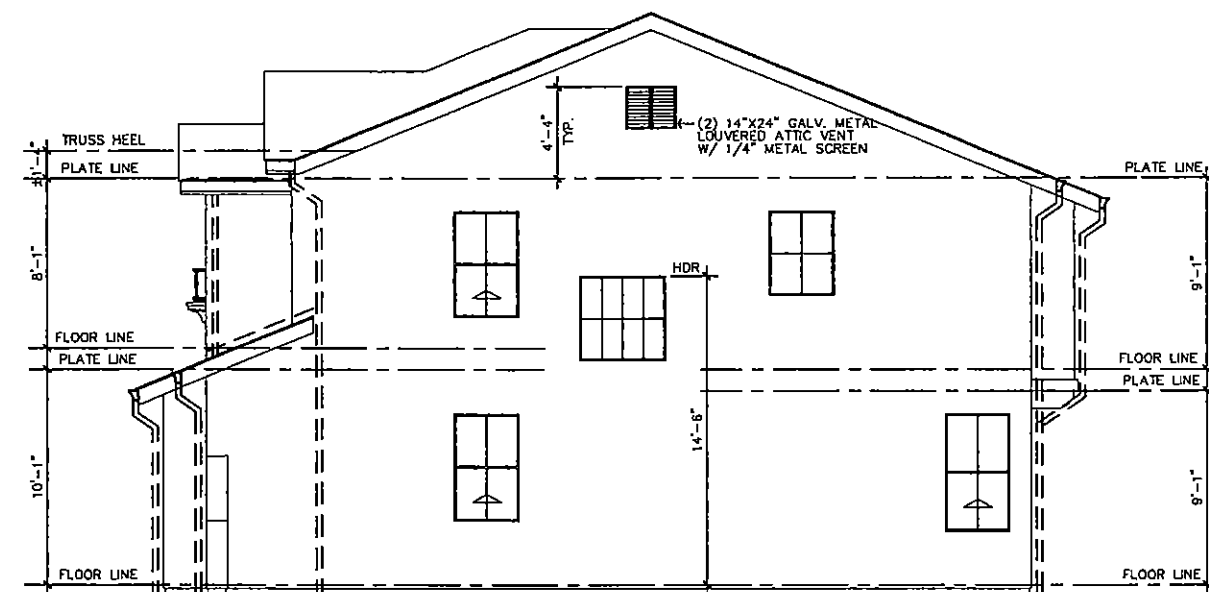
PDC04-026 **5.7**



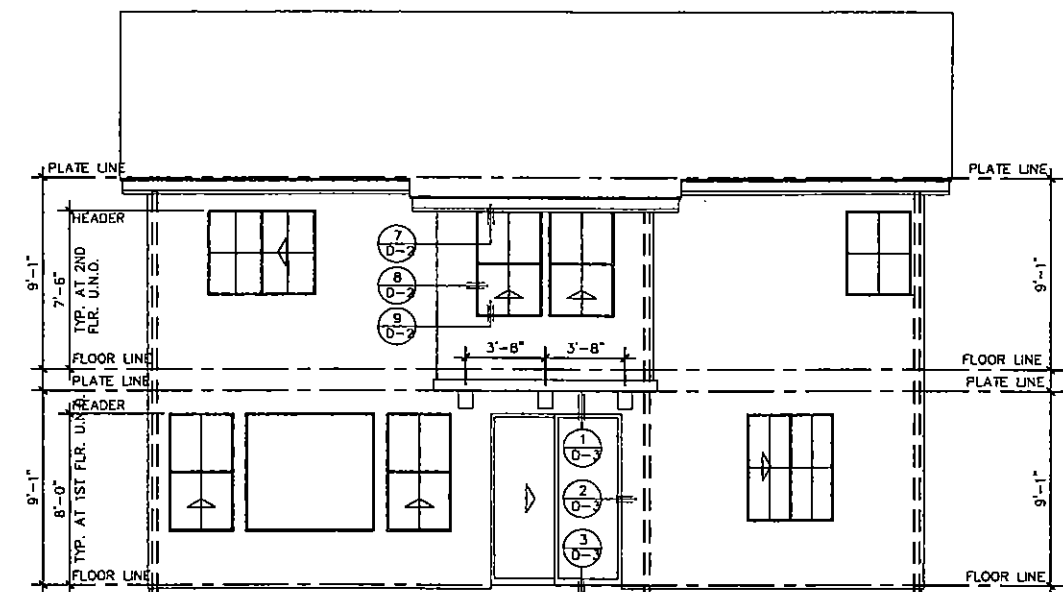
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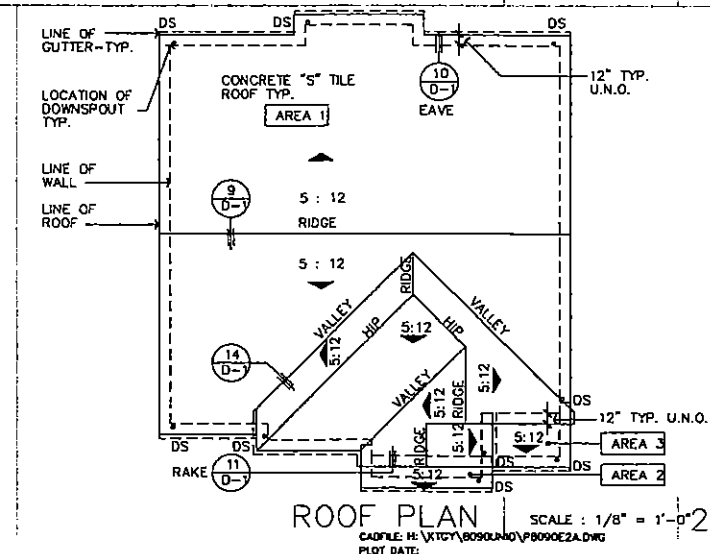


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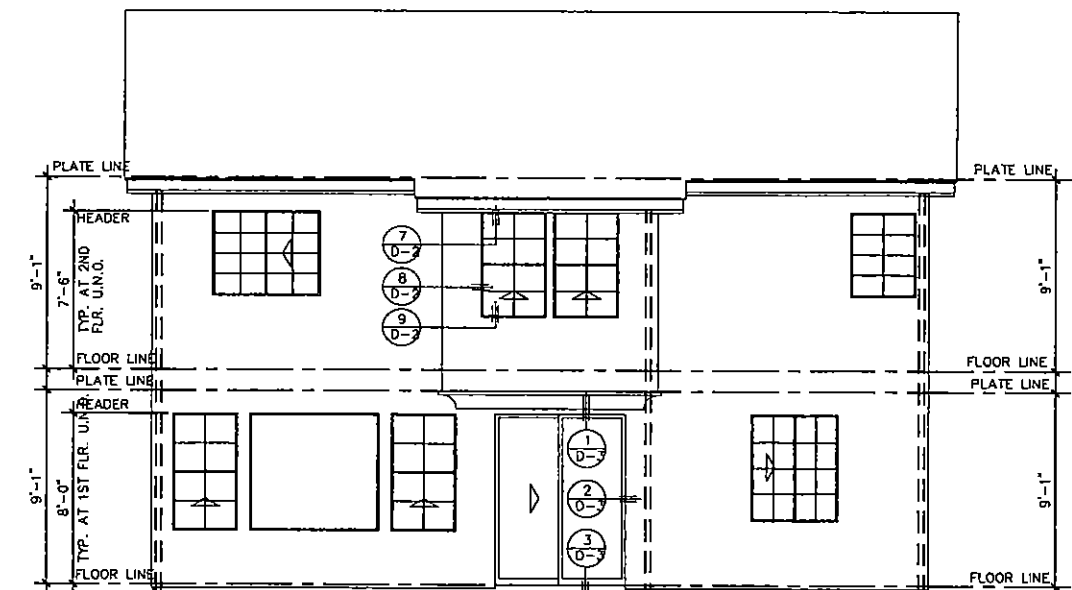
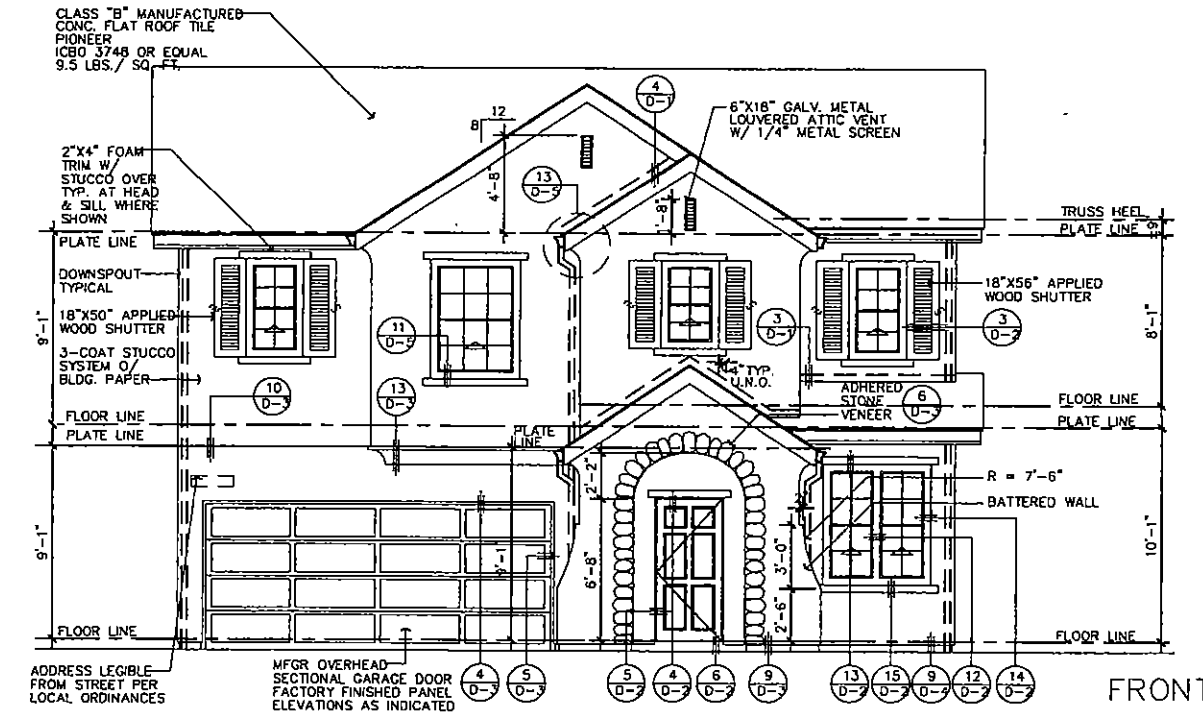
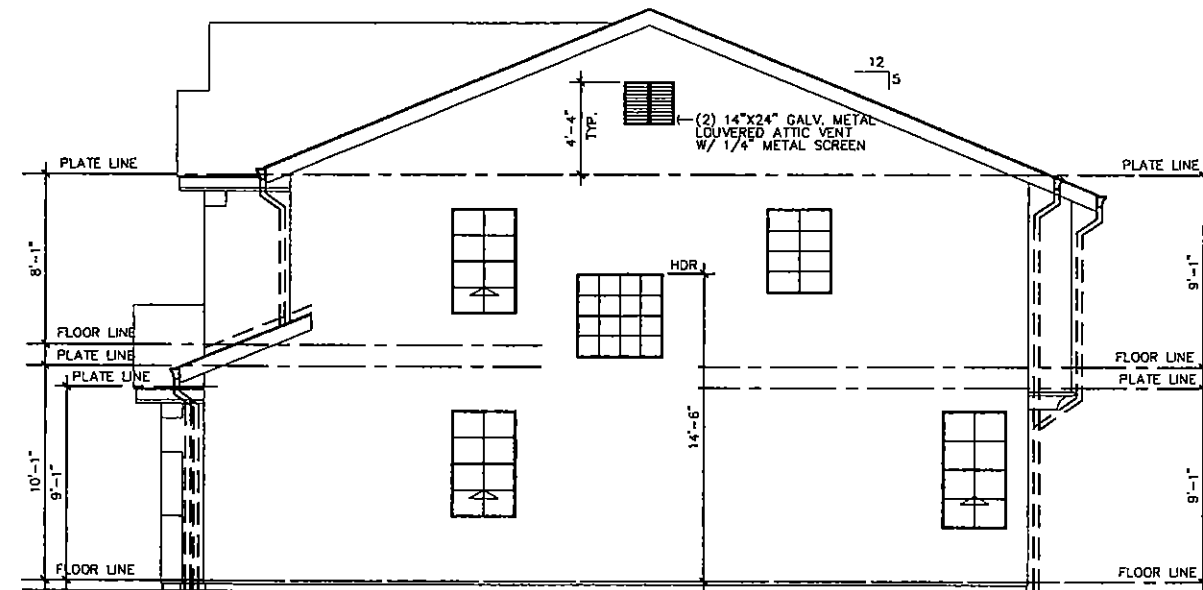
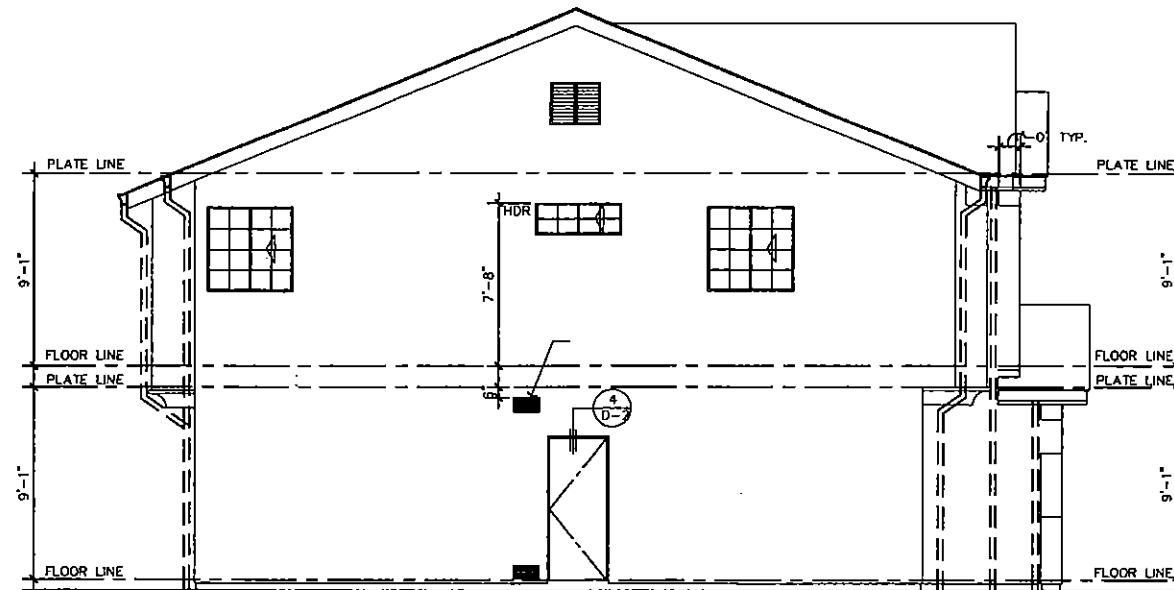
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CONCEPTUAL EXTERIOR ELEVATIONS SCALE : 1/4" = 1'-0"



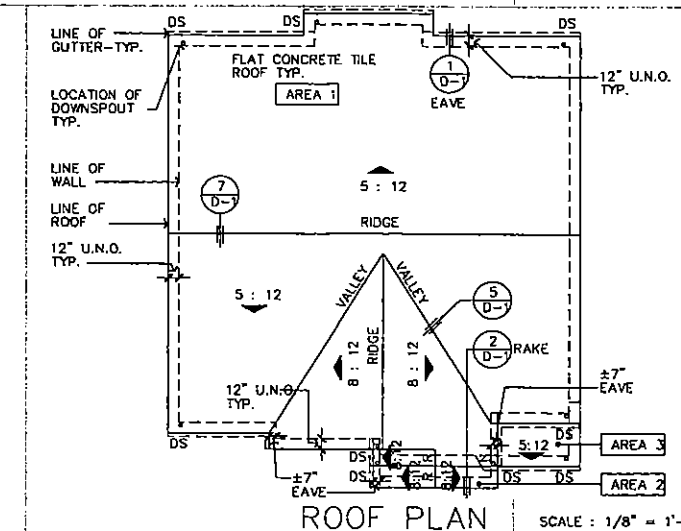
ROOF PLAN SCALE : 1/8" = 1'-0"

PLAN 2139
'A' EXTERIOR
ELEVATIONS &
ROOF PLAN



CONCEPTUAL EXTERIOR ELEVATIONS

SCALE : 1/4" = 1'-0"

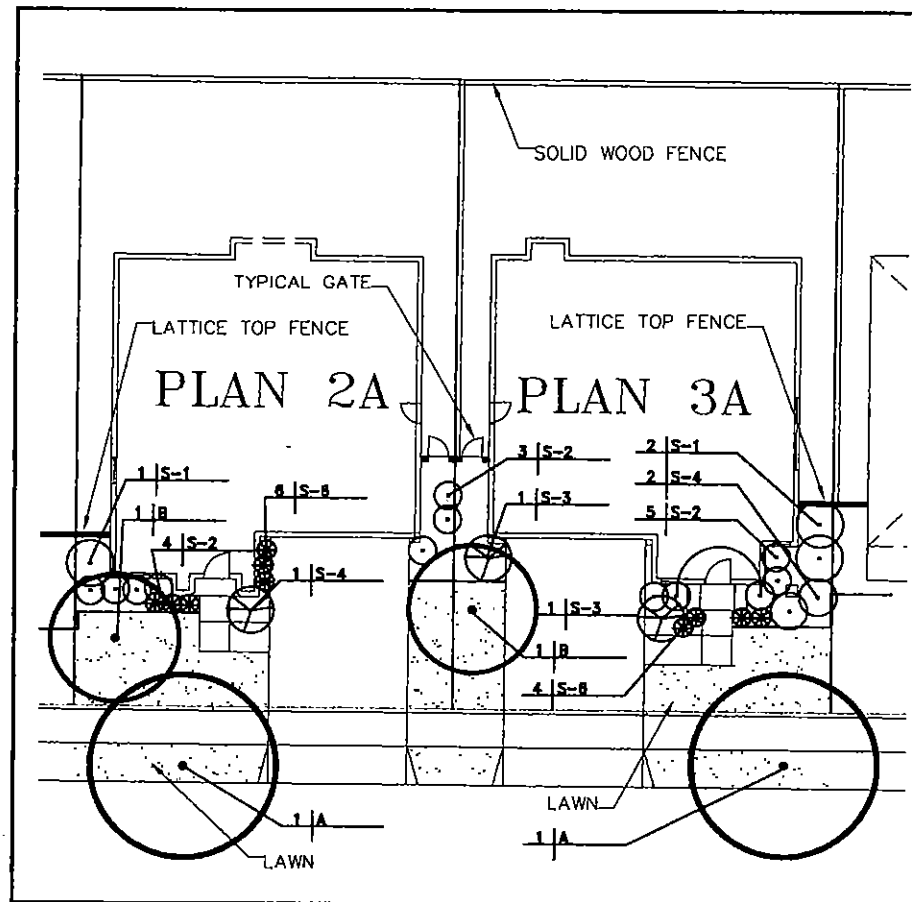
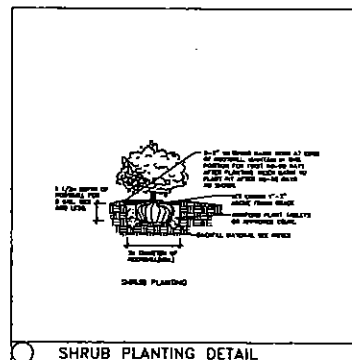
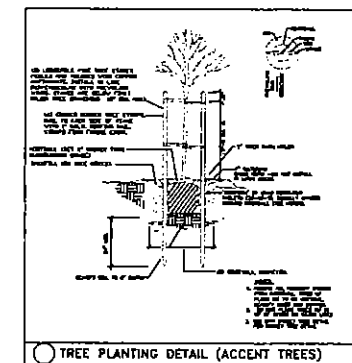
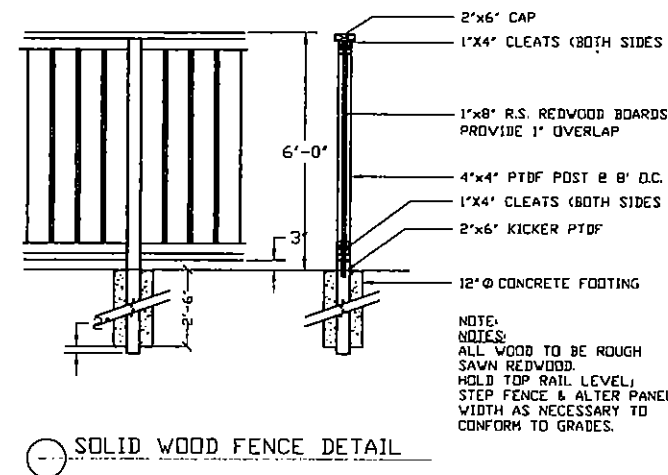
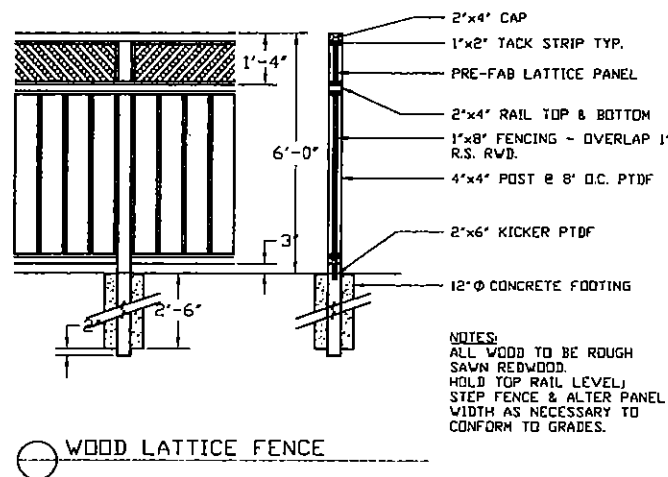


SCALE : 1/8" = 1'-0" 2

CADFILE: H:\XTGY\B090UNIO\P8090E2C.DWG
PLOT DATE:

PLOT DATE:

PLAN 2139
'B' EXTERIOR
ELEVATIONS &
ROOF PLAN



TYPICAL MID BLOCK LOTS

- NOTES:
1. TREES TO BE 15 GA. SIZE. THE QUALITY OF PLANT MATERIALS AND THE CALIPER SIZE RATIO TO CONTAINER SIZE FOR TREES SHALL FOLLOW THE AMERICAN SOCIETY OF NURSERYMEN STANDARDS.
 2. THE DEVELOPER MUST OBTAIN A TREE PERMIT FOR STREET TREE PLANTING FROM THE CITY OF SAN JOSE PRIOR TO INSTALLATION. CONTACT MARK DEAUDON, CITY ARBORIST AT (408)277-2758
 3. CITY ARBORIST SHALL LOCATE TREES IN THE FIELD. GENERAL GUIDELINES ARE AS FOLLOWS:
40 FT. MINIMUM SETBACK FROM STREET CORNERS
5 FT. MINIMUM SETBACK FROM RESIDENTIAL DRIVEWAYS
20 FT. MINIMUM SETBACK FROM ELECTROLINERS
5 FT. MINIMUM SETBACK FROM WATER, GAS LINE AND FIRE HYDRANTS
10 FT. MINIMUM SETBACK FROM SEWER LATERALS
 4. TREES TO BE GENERALLY 30" O.C.
 5. LANDSCAPE CONTRACTOR SHALL RE-VERIFY TREE SPECIES AND LOCATION WITH THE CITY OF SAN JOSE PRIOR TO INSTALLATION.
 6. INSTALL A CONTINUOUS ROOT BARRIER AT BACK OF CURB AND SIDEWALKS FOR 10' IN EACH DIRECTION FROM CENTER OF TREE STEM.

PLANTING NOTES

GENERAL NOTES: The Landscape Contractor shall inspect the site and be familiar with all existing site conditions prior to submitting his bid. Contractor shall not willfully proceed with construction as shown when it is obvious that obstructions, landscape area and/or grade differences exist that may not have been known during design. Such conditions shall immediately be brought to the attention of the Landscape Architect. The Contractor shall assume full responsibility for all necessary revisions due to failure to give Architect. The Contractor shall assume full responsibility for all necessary revisions due to failure to give Architect. The Contractor shall assume full responsibility for all necessary revisions due to failure to give Architect.

SOIL PREPARATION: The Landscape Contractor shall be responsible for finish grading and all planting area drainage. Positive drainage away from the building as per city codes shall be maintained. No low spots which hold standing water will be accepted. The Landscape Contractor shall incorporate backfill soil mixes in planting areas as noted below. Where rototilling is not possible, incorporate soil amendments into top 6 inches with hand tools. After installation of irrigation system, all planting areas are to be fine graded to within 2 inches and slightly mounded away from edges of top of planter, curb, walk, header, etc. and rolled smooth with all rocks and debris over 1 inch in diameter removed.

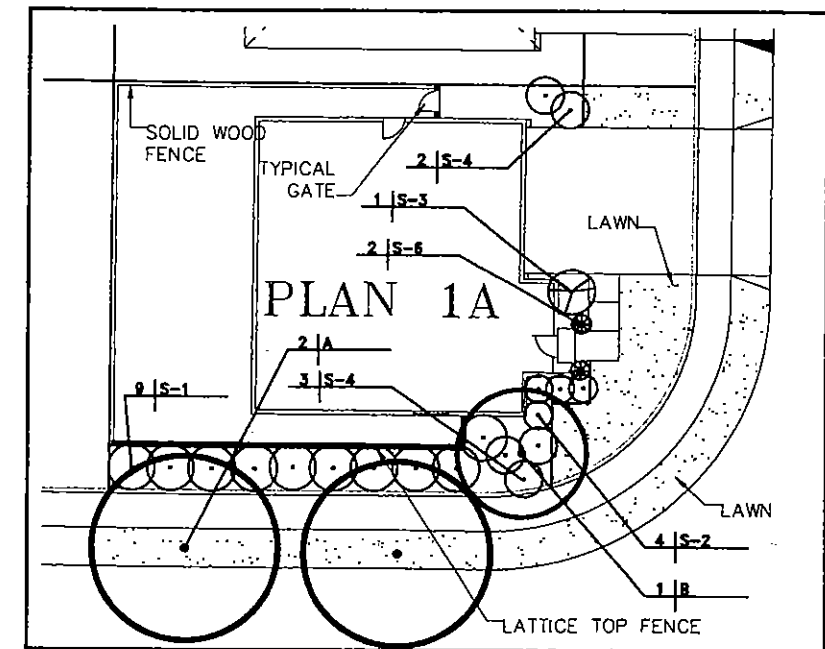
BACKFILL SOIL MIXES: The Landscape Contractor shall amend existing soil, by rototilling, 6 cu. yd. "nutrient" soil conditioner (with a pH of 6.5-7.5) and 15 lbs. granular fertilizer (12-12-12) per 1,000 sq. ft. into the top 6 inches of soil in all planting areas. For trees and shrubs mix 1/3 organic amendment, 2/3 amended topsoil as noted above.

TREE PLANTING: The trees are to be planted as per detail on plan. Trees shall typically be located a minimum of 4 feet from curbs, walks, headers, buildings, overhangs, and other trees within the project. Tree backfill shall be the "P1 Planting Mix" as noted above. All trees shall receive "AgriForm" 21 gram (20-20-20) fertilizer tablets at the following rates: For 24 inch bare trees: 8 tablets, for 15 gallon trees: 4 tablets, for 5 gallon trees: 3 tablets. Thoroughly water trees immediately after planting.

ROOT BARRIERS: Trees (excluding street trees) within 3' of any building or paved surface or curb shall receive a root barrier. "Deep Root" around type barrier #UB-24-2 shall be used unless otherwise noted on detail.

SHRUB PLANTING: The shrubs shall be spotted as per plan and the locations approved prior to the digging of the holes. Shrub backfill shall be the "P1 Planting Mix" as noted in "Backfill soil mixes". All shrubs shall receive "AgriForm" 21 gram (20-20-20) fertilizer tablets at the following rates: For 15 gallon shrubs: 4 tablets, for 5 gallon shrubs: 3 tablets, for 1 gallon shrubs: 1 tablet. Thoroughly water shrubs immediately after planting.

VINE PLANTING: The vines shall be planted similar to the shrubs. All vines shall be removed from stakes and fastened to climbing surface by means of vine ties for each major leader.



TYPICAL CORNER LOT

PLANT MATERIAL ALTERNATIVES

TREES: TO BE 15 GA. SIZE

A- STREET TREE- SEE NOTES AND DETAILS FOR CITY REQUIREMENTS

B- ACCENT TREE

- ERIOBOTRYA JAPONICA (LOQUAT)
- PRUNUS BLUREIANA (FLOWERING PLUM)
- MELALEUCA NESOPHYLLA (MELALEUCA)
- PHOTINIA FRASERI STANDARD (SCARLET TOYON)

SHRUBS: TO BE 5 GA. SIZE

- S-1 FEIJOA SELLOWIANA (PINEAPPLE GUAVA)
- XYLOSMA CONGESTUM (XYLOSMA)
- PITTOSPORUM TOBIRA (MOCK ORANGE)

S-2 BUXUS 'GREEN BEAUTY' (BOXWOOD)

- ESCALLONIA FRADESII (ESCALLONIA)
- RHAPHIOLEPIS 'BALLERINA' (PINK INDIA HAWTHORN)
- NANDINA COMPACTA (DWARF NANDINA)

S-3 ROSE STANDARDS: 'DOUBLE DELIGHT' AND 'MR. LINCOLN' TREE ROSES

- LYCIANTHES RANNTONE (PARAGUAY NIGHTSHADE) STANDARD
- LEPTOSPERMUM 'RUBY GLOW' (TEA TREE) TOPIARY STANDARD

S-4 MIDLAND ROSES

- LANTANA C. 'CONFETTI' (LANTANA)
- ROSEMARINUS OFFICINALIS (ROSEMARY)
- PLUMBAGO AURICULATA (CAPE PLUMBAGO)

S-5 (TO BE 1 GA. SIZE)

- COPROSMA 'VISTA VERDE' (COPROSMA)

S-6 (TO BE 1 GA. SIZE)

- LAVANDULA STOECHES (SPANISH LAVENDER)
- HEMEROCALLIS HYBRID (EVERGREEN DAYLILY)
- ERIGERON KARVINSKYANUS (SANTA BARBARA DAISY)
- LIMONIUM PEREZII (SEA STATICE)

V-1 (TO BE 5 GA. SIZE)

- PARTHENOCISSUS TRICUSPIDATA (BOSTON IVY)

LAWN: FROM DWARF TALL FESCUE SOD MIX

MULCHING: Mulch all planting areas, excluding lawn, having a slope less than 2:1 with a 2 inch minimum depth of 1/2"-3/4" for bark (mulch not shredded material) with a pH of no higher than 5.0, and free of noxious weeds and foreign materials.

SOD LAWN: Sod shall be as specified on drawings and installed as per suppliers specifications. Remove from all turf areas, stones (1" or larger), mortar, concrete, asphalt, rubbish, debris and any materials harmful to plant life. Remove or spray as required to eradicate noxious weed growth and roots. Thoroughly mix and pulverize the following proportions of materials (lightly compacted measurements) to a minimum depth of 8-9 inches while in a moist, friable condition: 6 inches of topsoil 15 lbs. fertilizer/1,000 sq. ft. inorganic (16-16-8) 8 cu. yd. Nitrogen stabilized soil amendment per 1,000 sq. ft. sod.

LAWN MAINTENANCE: Protect all maintenance areas by watering, mowing, weeding or seeding as necessary for a minimum of 60 days after turf installation or to the end of the 90 day maintenance period (whichever is latest). Establish a thick, weed free uniform stand of grass. Apply weed killer when broadleaf weeds start developing in competition with grass, apply of manufacturers specified rate. Mow grass at 1 1/2 inches in height when it attains a height of 2 inches. At 14 days after turf installation apply and thoroughly water in ferrous ammonium sulfate fertilizer @ 5 lbs./1,000 sq. ft. At 60 days after installation fertilize with (16-16-8) @ 7 lbs./1,000 sq. ft. and again at the end of the maintenance period.

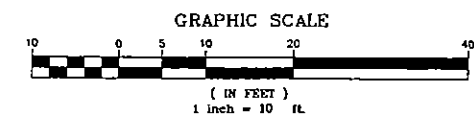
MAINTENANCE: The Contractor shall maintain the project for 90 days (or as requested by owner) following the approval to begin the maintenance period. During the entire maintenance period, watering, cultivating, weeding, mowing, repair/lightening of stakes and ties, restoration of basins, provision of supplemental water by hand in addition to irrigation system as necessary, spraying for insects and diseases shall be performed. At the end of the 90 day maintenance period all areas are to be weed free and all plant material is to be in a healthy, thriving condition. Furnish Owner with typed maintenance manual outlining watering, fertilizing, weeding, pruning and mowing schedules.

SUBSTITUTIONS: Requests for substitutions of plant varieties shall be made to the Landscape Architect within 15 days after signing of contract.

GUARANTEE: All construction, trees and shrubs by the Landscape Contractor and/or his subcontractors shall be guaranteed for (1) one year after beginning of maintenance period. The Contractor shall replace, at no expense to the Owner, any and all landscape materials that are in an unacceptable condition for time of use, or trees or shrubs that are dead or not in a vigorous, healthy growing condition; within two weeks of notification of such condition. Replacement shall be of the same kind and size as the originally specified item and shall be replaced as originally described on the drawings. The Contractor shall not be held liable for loss of plant materials during the guarantee period due to vandalism, accidental causes or acts of neglect by others than the Contractor, his agents and employees.

CLEAN UP: At the end of each work day, at the inspection for substantial completion and before acceptance of project, clean paved areas that are drilled or stained by construction operations, by sweeping or washing, and remove soil/contaminants and stones. Remove construction equipment, excess materials and loads. Haul from Owners property the debris resulting from construction, and dispose of legally. Remove retaining temporary protection at time of acceptance by Owner unless otherwise agreed.

HEADER BOARD: Install header board where shown on plan and as specified on detail. Anchor with stakes spaced not more than 3 feet on center, and driven at least 1/2 inch below top of header. Use two galvanized nails or screws per stake to fasten to headers, and clinch point of each nail.



PDC04-026